

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1233315-0

Total Deleted Page(s) = 4
Page 28 ~ Referral/Direct;
Page 29 ~ Referral/Direct;
Page 30 ~ Referral/Direct;
Page 86 ~ b2;

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X   Deleted Page(s)     X
X   No Duplication Fee  X
X   For this Page       X
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Moss Criticizes Cutler Speech

Associated Press

A congressional foe of government secrecy mildly scolded Presidential Assistant Robert Cutler yesterday and denounced the "evils of secrecy" in meetings of the Commerce Department's Business Advisory Council.

Rep John E. Moss (D-Calif.), chairman of the House Government Information Subcommittee, made public differing versions of what Cutler told the council on Oct. 6—Cutler's account and that of some who heard him.

The controversy resulted from an off-the-record speech by Cutler, who is President Eisenhower's representative to the National Security Council. Cutler's audience at Hot Springs, Ark. was made up of 200 of the council's businessmen members and their guests.

In his speech Cutler denounced what he called a breach of security by a trade journal. He did not name the magazine, but it was readily identifiable as Aviation Week. Moss said yesterday that members of the council have informed the Subcommittee that Cutler charged the magazine with "rendering a great disservice to the Nation" and "suggested that businessmen take the journal's alleged disservice into consideration when they place their advertising."

Moss released simultaneously Cutler's explanatory letter to the Subcommittee. Cutler reported that he did say that "some of my listeners were probably advertisers" in the magazine, but he added: "I did not state that any advertiser should boycott the magazine."

The article which aroused

Cutler's wrath was a story disclosing that this country was tracking Soviet missile tests through a radar station in Turkey. Aviation Week said Russia knew of the station and only the American public was kept in ignorance.

Cutler, according to the United Press, told the Subcommittee he hoped the magazine article would "lead your committee and the Congress to examine existing law with a view to determining whether it effectively protects the people of the United States from public disclosure of information helpful to an opponent dedicated to destroying our individual liberties."

Moss said he was not passing judgment on the magazine's disclosures, but he added:

"If a responsible government official alleges that there has been an unauthorized disclosure of properly classified information, his only proper course of action is to make his charges openly and take the steps provided by law."

Moss said the questions raised by Cutler's speech "illustrate the evils of secrecy imposed on meetings of the Business Advisory Council." The council confers periodically with the Secretary of Commerce in closed session.

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

NOT RECORDED
140 DEC 2 1957

Wash. Post and Times Herald _____
Wash. News _____
Wash. Star _____
N. Y. Herald Tribune _____
N. Y. Journal-American _____
N. Y. Mirror _____
N. Y. Daily News _____
N. Y. Times _____
Daily Worker _____
The Worker _____
New Leader _____

Date NOV 25 1957

76 DEC 2 1957

AF Is Accused Of 'Silly Coverup'

WHITE SULPHUR SPRINGS, W. Va., May 8 (AP).—Representative John E. Moss, Democrat of California, yesterday accused the Air Force of a "silly coverup" in a denial that it had launched a mouse into space.

Mr. Moss, chairman of the House Government Information Subcommittee, also cited Defense Department and foreign aid officials in telling the Magazine Publishers Association spring conference of cases where he said there is too much secrecy in Government.

And he hit at Attorney General Rogers' contention that the Executive Branch has inherent information-withholding power under the Constitution.

This "is looked upon by Federal officials as virtually unlimited grounds for withholding information from the public and the Congress," Mr. Moss said in a prepared speech. "So far, no Federal official has been able to produce any valid statutory or constitutional basis for such a concept."

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

file 5-676

Rosen
Wick

Wash. Post and Times Herald _____
Wash. News _____
Wash. Star pg A-4
N. Y. Herald Tribune _____
N. Y. Journal-American _____
N. Y. Mirror _____
N. Y. Daily News _____
N. Y. Times _____
Daily Worker _____
The Worker _____
New Leader _____
Date 5-6-58

328
50 MAY 9 1958

50 MAY 8 1958

94-50422
NOT RECORDED
44 MAY 8 1958

Tolson ☒
 Boardman ☒
 Belmont ☒
 Mohr ☒
 Nease ☒
 Parsons ☒
 Rosen ☒
 Tamm ☒
 Trotter ☒
 Clayton ☒
 Tele. Room ☒
 Holloman ☒
 Gandy ☒

ROACH

AFTs Accused Of 'Silly Coverup'

WHITE SULPHUR SPRINGS, W. Va., May 6 (AP).—Representative John E. Moss, Democrat of California, yesterday accused the Air Force of a "silly coverup" in a denial that it had launched a mouse into space. Mr. Moss, chairman of the House Government Information Subcommittee, also cited Defense Department and foreign aid officials in telling the Magazine Publishers Association spring conference of cases where, he said, there is too much secrecy in Government.

And, he hit at Attorney General Rogers' contention that the Executive Branch has inherent information-withholding power under the Constitution.

This "is looked upon by Federal officials as virtually unlimited grounds for withholding information from the public and the Congress," Mr. Moss said in a prepared speech. "So far, no Federal official has been able to produce any valid statutory or constitutional basis for such a concept."

Wash. Post and Times Herald _____
 Wash. News _____
 Wash. Star A4 _____
 N. Y. Herald Tribune _____
 N. Y. Journal-American _____
 N. Y. Mirror _____
 N. Y. Daily News _____
 N. Y. Times _____
 Daily Worker _____
 The Worker _____
 New Leader _____

Date _____

MAY 6 1958

94-50922-A
 NOT RECORDED
 199 MAY 9 1958

66 MAY 13 1958
 7810

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: June 5, 1957

FROM : Mr. R. R. Roach

SUBJECT: IMMIGRATION AND NATURALIZATION SERVICE

Reference is made to recently publicized criticism of General [] and Immigration and Naturalization Service (INS) regarding Border Patrol officers who claimed expenses for travel incurred when they attended rifle and pistol matches. General [] was also criticized for "irregularities" in his travel vouchers while on hunting trips into Mexico.

You may be interested in the following comments which were volunteered to Agent Papich on June 3, 1957, by Assistant Commissioner [] of INS. These comments very likely reflect the attitude of other top officials in INS. [] stated that INS was criticized by Congressman John E. Moss (D-California) for not revealing a "secret" report which explained the travel of Border Patrol personnel to pistol and rifle matches. According to [] the report in question had been classified because the information appearing therein dealt with INS emergency war planning. [] explained that as part of their emergency planning INS has required their Border Patrol personnel to meet top standards in the handling of the rifle and pistol. In this connection the Border Patrol officers have been asked to participate in pistol and rifle matches in order to improve their shooting. [] advised that any public revelation of the report would have led to mention of the emergency plans. He stated that Moss is incensed at the Attorney General for alleged abuse of power to classify and restrict information. According to [] Moss attacked General [] and INS in order to get at the Attorney General.

[] advised that the matter concerning [] expense voucher was highly exaggerated by the press. He stated that "some" of [] travel into Mexico was legitimate and authorized but he and his subordinates had claimed a per diem in excess of the authorized amount. [] stated that the difference amounted to a "few dollars" and the necessary adjustments have been made.

For your information, the Liaison Agent was confidentially advised that the information concerning [] trips into Mexico was passed on to Congress through an INS employee on the Mexican border who reportedly is a close relative of Senator Lyndon Johnson of Texas.

ACTION:

None. For your information.

SJP:b 52 JUN 12 1957

1 - Mr. Nichols
1 - Mr. Belmont

1 - Liaison Section

NOT RECORDED

126 JUN 10 1957

3 JUN 10 1957

ORIGINAL FILED IN 62-34731-34732

GIR 12

Office Memorandum • UNITED STATES GOVERNMENT

b6
b7CTO : MR. A. H. BELMONT *and*

DATE: August 7, 1957

FROM : MR. J. A. SIZOO *JA*cc Mr. Belmont *red*SUBJECT: TELEPHONE CALL FROM OFFICE
OF CONGRESSMAN JOHN E. MOSS -
CALIFORNIA

Tolson _____
 Nichols _____
 Boardman _____
 Belmont _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Nease _____
 Tele. Room _____
 Holloman _____
 Gandy _____

I took a call this morning from [redacted] Administrative Assistant to Congressman Moss, Room 1540, House Office Building. He advised that Congressman Moss, who is from the Third District of California, had received at the District Headquarters in Sacramento two letters addressed to [redacted]. He said these two letters which had Cuban stamps on them were not cancelled. The envelopes contained nothing but drawings, the meanings of which were not at all clear. He said the Congressman had asked him to call the FBI and see if the FBI wouldn't institute investigation to find out why such letters had been sent to his wife. I asked [redacted] if any conclusion could be drawn from the drawings as to whether they were obscene or threatening. He said they did not appear obscene nor did there seem to be a threat, but the thing which seemed most confusing was the fact that Cuban stamps were used and were not cancelled and yet the mail was delivered without any type of cancellation stamps to [redacted]. I told him on the basis of the information he furnished, there did not appear to be a violation within the investigative jurisdiction of the Bureau. [redacted] said he was in complete agreement, but that he made the call because the Congressman asked him to do so. [redacted] commented that the only thing he could see in the situation was a possible irregularity in the Post Office at Sacramento as the letters had been delivered by the Sacramento postal carrier and apparently were in the Post Office at one time, but the stamps were never cancelled. He thought it was more than a coincidence that two letters sent from different ~~times~~ would clear thru the Post Office without cancellation stamps. He said he planned to also report the matter to the Post Office for any administrative inquiry which they might want to make in Sacramento.

JAS:td
(2)

RECORDED - 84

EX-126

1-50422-2
2 AUG 8 1957

F488

67 AUG 13 1957

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: January 10, 1959

FROM : G. A. Nease

SUBJECT:

Tolson _____
 Boardman _____
 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holloman _____
 Gandy _____

It will be noted from the attached news flash that Congressman John E. Moss spoke at the University of Arizona on the occasion of receiving the University's John Peter Zenger Freedom of the Press Award. No doubt this Award was made through the Department of Journalism. Recognizing the type of speech an individual such as Moss would probably make, I think it might be an excellent idea as a follow-up to explore the possibility of having a Bureau speaker appear in the University of Arizona at an opportune time. I think the Phoenix Office should secure additional data in a discreet fashion concerning Moss' speech and explore the possibilities of having a Bureau speaker appear before approximately the same group. It is suggested that the attached letter be forwarded to SAC Edward L. Boyle over my signature.

Enclosures (2)

GAN:jcs
(3)

One letter copy
 1-29-59
 #11

REC-103

JAN 29 1959

ENCLOSURE

53 FEB 3 1959

UNRECORDED COPY FILED IN 94-4020

UPI-35

(INFORMATION)

TUCSON, ARIZ.--CHAIRMAN JOHN E. MOSS (D-CALIF.) OF THE HOUSE INFORMATION SUBCOMMITTEE CHARGED TODAY "THE FEDERAL GOVERNMENT IS SUBSTITUTING MADISON AVENUE FICTION FOR THE NECESSARY FACTS."

MOSS SAID THAT AS A RESULT THE AMERICAN PEOPLE ARE "LOSING AN EFFECTIVE, INFORMED CRITICISM" OF THEIR NATIONAL GOVERNMENT. "THE RIGHT TO CRITICIZE IS USELESS UNLESS THE CRITICISM IS BASED ON FULL AND FACTUAL INFORMATION," HE SAID.

THE LAWMAKER SAID "WHAT THE AMERICAN PEOPLE DON'T KNOW ALREADY HAS HURT" THEM. HE SAID "THE HURT WILL GO DEEPER AND DEEPER UNTIL THE PEOPLE ACT TO REAFFIRM THEIR RIGHT TO KNOW."

MOSS SPOKE AT THE UNIVERSITY OF ARIZONA AFTER RECEIVING THE UNIVERSITY'S JOHN PETER ZENGER FREEDOM OF THE PRESS AWARD.

HE SAID HIS SUBCOMMITTEE HAD BEEN ABLE "TO CUT AWAY PART OF THE DENSE TANGLE RESTRICTING THE PEOPLE'S ACCESS TO PUBLIC INFORMATION" ABOUT THEIR GOVERNMENT.

BUT HE SAID "THE REMOVAL HAS EXPOSED A VERITABLE FOREST OF OTHER RESTRICTIONS WITH LITTLE OR NO BASIS IN LAW."

MOSS SAID HIS SUBCOMMITTEE NOW IS AT WORK DRAFTING POSSIBLE AMENDMENTS TO "LAWS OF BROAD APPLICABILITY" IN AN ATTEMPT TO OPEN UP THE CHANNELS OF INFORMATION.

1/10--RM1017A

1-37422-3
ENCLOSURE

JOHN E. MOSS
DISTRICT, CALIFORNIA

WASHINGTON OFFICE:
ROOM 541
OLD HOUSE OFFICE BUILDING

COMMITTEES:
INTERSTATE AND FOREIGN COMMERCE
GOVERNMENT OPERATIONS
CHAIRMAN, SPECIAL SUBCOMMITTEE
ON GOVERNMENT INFORMATION

Congress of the United States
House of Representatives
Washington, D. C.

March 24, 1960

JOHN E. RYCKMAN
ADMINISTRATIVE ASSISTANT

THEDA JACK
PERSONAL SECRETARY

DISTRICT OFFICE:
FEDERAL BUILDING
P. O. BOX 1823
SACRAMENTO, CALIF.

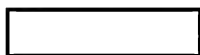
RUTH A. HUDSON
DISTRICT SECRETARY

Federal Bureau of Investigation
Crime Records Division
Washington 25, D. C.

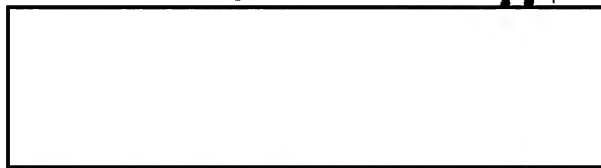
Gentlemen:

Congressman Moss has asked me to request
your consideration of the attached letter.

He would appreciate your furnishing him
with the necessary information for reply to



Sincerely,



Administrative Assistant

JER:r
enc.

EXD PROO
MAR 25 1960

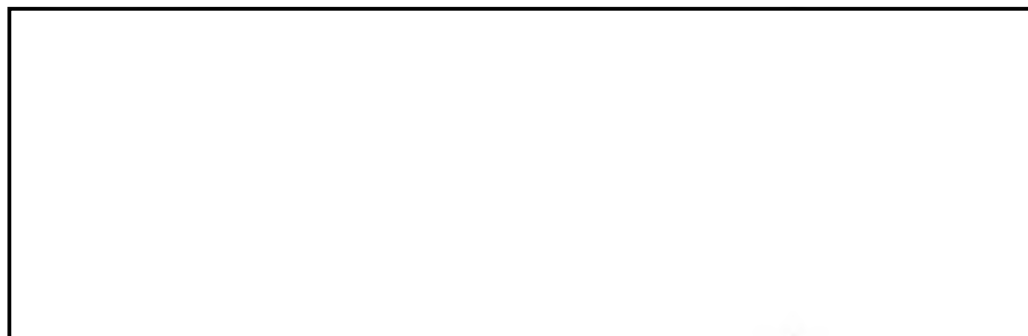
b6
b7C

3/31/60
6/23
ENCLOSURE
11/27/60
11/28/60

REC-76 94-50422-4
EX-133
5 MAR 25 1960
CRIME REC.
4-4

ALSO WOULD LIKE TO KNOW WHY THERE ARE NO
REPORTS OF THE F.B.I. IN EITHER THE CITY, STATE,
OR COUNTY LIBRARIES HERE IN SACRAMENTO. I
WOULD LIKE TO COMPARE THE CRIME RATE HERE WITH
OTHER CITIES OF COMPARATIVE SIZE, ESPECIALLY
FOR THE CRIMES OF RAPE, STRONG-ARM ROBBERY AND
MURDER. WHO DO I WRITE TO IN WASHINGTON TO GET
THESE FIGURES?

C. F. M.



94-50422-4
ENCLOSURE

b6
b7C

REC-76 94-50422-4

March 31, 1960

Honorable John E. Moss
House of Representatives
Washington 25, D. C.

My dear Congressman:

I have received the letter of March 24, 1960,
from your Administrative Assistant, [redacted]
enclosing a copy of a communication from [redacted]
[redacted] of Sacramento, California, who was interested in
obtaining statistics reflecting the crime rate of various
cities.

I am enclosing the latest crime statistics for
distribution which you may desire to forward to [redacted]
In the Uniform Crime Reports bulletin the information he
desires appears on pages 27 through 59 and from page 80
through 91. I am returning the copy of his letter herewith.

Sincerely yours,

J. Edgar Hoover

Enclosures (3)

1958 Annual Report UCR

Quarterly release for January - December, 1959.

NOTE: Our relations have not been favorable with Congressman Moss and
it is noted that in 1956 Moss publicly stated that he was inquiring of the
Attorney General as to why the press had been barred from FBI schools
for Southern police officers on Civil Rights. The Deputy Attorney General
wrote Moss explaining this was a training school for duly authorized law
enforcement officers only. For this reason, reply to Moss is perfunctory.
[redacted] is not identifiable in Bufiles.

Tolson _____
Mohr _____
Parsons _____
Belmont _____
Callahan _____
DeLoach _____
Malone _____
McGuire _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

62 APR 8

1960

TELETYPE UNIT

ELC:efn/cbc

REC'D-READING ROOM
MAR 31 3 21 PM '60

b6
b7c



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

To: FBI, Washington Field Office
(62-New)

Date: September 16, 1963

Re: UNSUB; Writer of Letter to
U. S. Representative JOHN E.
MOSS; MISCELLANEOUS - INFORMATION
CONCERNING

J. Edgar Hoover
John Edgar Hoover, Director

FBI File No.

Lab. No. D-431013 IH

Examination requested by: Washington Field Office

Reference: Airtel 9/12/63

Examination requested: Document - Fingerprint

Remarks:

A separate report is being furnished to you on the latent fingerprint examination at which time Q1 and Q2 will be returned to your office.

REC-47

74-50422-5

EX 104

19 SEP 17 1963

Enclosures (2) (2 Lab report)

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

APD:KML (4)
Kml

MAILED 27
SEP 16 1963
COMM-FBI

26 12 2 13 6H 23

57 SEP 23

ADMINISTRATIVE PAGE

MAIL ROOM ☐ TELETYPE UNIT ☐

REPORT
of the



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

To: **FBI, Washington Field Office**

Re: **UNSUB; Writer of Letter to
U. S. Representative JOHN E. MOSS
MISCELLANEOUS - INFORMATION
CONCERNING**

Date: **September 16, 1963**

FBI File No.

Lab. No. **D-431013 IH**

Specimens received **9/13/63**

- Q1 Envelope addressed to "Rep. John Moss United States House
of Representatives Washington, D. C."**
- Q2 Accompanying typewritten letter dated 9/10/63, beginning
"Sir: In reference to your speech..." and ending "...Not
very respectfully yours....."**

Result of examination:

**Q1 and Q2 were searched in the Anonymous Letter File
without effecting an identification. Copies are not being
added to this file at this time.**

**The typewriting on Q1 and Q2 most closely corresponds
to a standard for Smith-Corena elite style of type spaced 12
letters to the inch.**

**Q1 and Q2 were examined for indented writing with
negative results. Q1 bears no watermarks. Q2 bears fragments
of a U.S. Government watermark. The stamp appearing on Q1 is
a stamp from a booklet of stamps rather than a sheet or roll of
stamps. No other physical characteristics by which the source
of Q1 and Q2 could be definitely determined or noted in the
questioned evidence.**

**Q1 and Q2 have been photographed and are being re-
turned to Washington Field Office separately.**

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

FMD:KML (5)

MAIL ROOM ☐ TELETYPE UNIT ☐

Recorded
9/16/63
fa

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Laboratory Work Sheet

Re: UNSUB; Writer of Letter to
U. S. Representative JOHN E. MOSS
MISCELLANEOUS - INFORMATION
CONCERNING

File # - 94-50422-5
Lab. # D-431013 IH

L A T E N T

Examination requested by: WFO (62-New) 9/12/63

AIR

Examination requested: Document - Fingerprint

Date received: 9/16/63

Result of Examination:

Examination by:

b6
b7C

① No ident ALF Not added

② TW not like st. for Smith Corona (1227) white
style of type

Q1, tan envelope for ind. w, with key results
Q2 been found of U.S. Govt. watermark
Q1 been found of Stamp Q1 from booklet of stamps
Specimens submitted for examination
note that a sheet of a note as other physical

Q1 Envelope addressed to "Rep. John Moss United States House
of Representatives Washington, D. C."

Q2 Accompanying typewritten letter dated 9/10/63, beginning
"Sir: In reference to your speech..." and ending "...Not
very respectfully yours....."

class by which source of Q1, Q2, Q3, Q4, Q5
determine

④ Q1, + Q2 photo'd + note's sep (sep. right in 1st text)

Lab Rept

9/16/63

FMD:Kml

Smith-Corona 1227 - no ident Q2, Q3, Q4, Q5

Q1 White bond envelope containing no w.m.
Measures 4.15" x 9.35" x .0035"

Q2 Sheet of white bond paper containing
Eagle Wm (w.m. used in U.S. Govt.
paper)

Measures 8.0" x 10.5" x .0032.

9/12/63

AIRTEL

TO: DIRECTOR, FBI

FROM: SAC, WFO (62-NEW)

UNSUB; Writer of Letter to
U. S. Representative JOHN E. MOSS
MISCELLANEOUS - INFORMATION CONCERNING

b6
b7c

Retelcall of Assistant to the Director [redacted]
[redacted] to SAC, WFO 9/12/63, that [redacted] or
[redacted] of the Foreign Operations and Government
Information Subcommittee, U. S. House of Representatives,
had a document of possible interest to the Bureau.

Enclosed to the Bureau is the original and one
copy each of above captioned letter and the envelope in
which it was received.

On 9/12/63, [redacted] made available the
enclosed letter to SA [redacted]. [redacted] stated the
letter made reference to recent speeches of Representative
MOSS in which he criticized the Air Force for their
censorship of news and photographs of military air crashes
on the grounds of protecting national security. Representative
MOSS turned the letter over to his staff suggesting they
attempt to determine who wrote the letter.

[redacted] stated the envelope has been handled
extensively but the letter itself had only been handled
by MOSS, [redacted] and [redacted] of MOSS' office and
[redacted]. He noted the paper bore a watermark of a U. S.
eagle and suggested a government or military person had

3 - Bureau (Enc. 4)
1 - WFO

LSM:cjj
(4)

AIRTEL

WFO 62-New

written the letter. He also pointed out unsub could be a military man in the Miami area taking orders from the National Security Council since unsub makes such a reference in his letter.

[] suggested that if latents of unsub could be developed they could be searched through the civilian and military personnel files and the writer identified. He was advised the millions of civilian and military prints are not broken down under a single fingerprint classification but are classified according to a ten finger classification. He was advised the Latent Section does contain single fingerprint classifications for bank robbers, extortionists and the like. He was advised the paper itself could be examined for possible identification and the watermark might have some peculiarities. He was questioned as to possible suspects and stated he had none. He stated MOSS has not made any speeches in the Miami area and no military crashes have occurred in that area. [] stated he could determine what missions in the Miami area were taking orders from the National Security Council if this was desired.

It is suggested the Bureau might desire to have the Laboratory examine letter itself for any possible identification and a search through the anonymous letter file. Following these examinations, if they are negative, WFO will recontact [] and advise him of the practical and insurmountable task of attempting further identification without any logical suspects.

b6
b7c

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-109276)

FROM : *RH* SAC, HOUSTON (62-2234) (C)

SUBJECT: THREAT AGAINST CONGRESSMAN
JOHN E. MOSS
PROTECTION OF THE PRESIDENT

DATE: 2/1/65

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

RE: Bureau letter to the Honorable JOHN E. MOSS, dated January 26, 1965, and its note to Houston.

Enclosed for the Bureau are the original and three copies of a letterhead memorandum setting forth the letter received by Congressman MOSS from [redacted]

[redacted] Copies of this memorandum are being made available to Secret Service, Houston, and to the Houston Police Department.

- ② - Bureau
- 2 - Houston
 - (1 - 62-2234)
 - (1 - 62-2214)

GWK/mem
(4)

1cc. (from 62-2234) 2-3-65

UNREC COPY AND COPY OF ENCL FILED IN 62-109276

b6
b7C

REC-6

74-50427-6
FEB 2 1965
FEB 1 1 18 PM '65

ENGLOSURE
FEB 11 1965

FEB 11 1965 *Lx*



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Houston, Texas

February 1, 1965

[REDACTED]
MISCELLANEOUS -
INFORMATION CONCERNING

b6
b7C

By letter dated January 19, 1965, the Honorable John E. Moss, House of Representatives, Washington, D. C., made available a copy of the following letter which he advised he had received at his Sacramento, California, office:

b6
b7C

"Jan_ 2, 1965

"Congressman John Moss_

"You are a fool and a father of lies and hypocrosy_ I tell you to your ignoble face that you represent untruth and false verification_ You will have a time of reckoning and when you do, you silly son of a mother, I hope you can come up with some answers for your stupidity and ignorance. Dirty, foul men as you have no place in the government.

[REDACTED]

Congressman Moss advised that the above letter was sent from Houston, Texas, and he commented that the writer appeared to be a badly disturbed individual with potential for violence against some public official.

THIS DOCUMENT CONTAINS NEITHER RECOMMENDATIONS
NOR CONCLUSIONS OF THE FBI. IT IS THE PROPERTY OF
THE FBI, AND IS LOANED TO YOUR AGENCY. IT AND ITS
CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY.

ENCLOSURE

94-50422-6

Lie Detectors Don't Really, House I Told

Washington, March 20 (AP)—Congress was told tonight that the government's widespread use



of lie detectors has backfired in some cases and is a "weak link" in the nation's security system.

"There is no lie detector, neither machine nor human," the House Government Operations subcommittee reported.

John E. Moss The group announced it will hold further hearings "as soon as possible" on the use of polygraphs by such key agencies as the FBI, the Defense Department and the National Security Agency.

Many Millions Spent

The report said that although the Government has spent millions of dollars on polygraph machines and investigators have given thousands of tests, research "has failed to prove that polygraph interrogation actually detects lies or determines guilt or innocence."

It suggested that President Johnson set up an interagency committee to study problems posed by the Government's use of polygraph tests in investigations and job screenings. Nineteen agencies told the subcommittee they make some use of the devices.

While the findings of the Foreign Operations and Government Information subcommittee, headed by Rep. John E. Moss (D-Calif.), were strong, its recommendations were not so strong.

A Clash of Logic

It urged that until further hearing and study—and it recommended a comprehensive study of the tests' validity—the lie tests be prohibited "in all but the most serious national security and criminal cases."

Committee members and staffers were understood to be aware of the clash of logic in recommending a device they termed of questionable value for use only in serious cases.

But this was said to have been done as a compromise in the face of insistence by federal investigators at the hearings that polygraphs do have worth, and also due to some divergent views in the committee.

Tolson _____
Belmont _____
Mohr _____
DeLoach _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele Room _____
Holmes _____
Gandy _____

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194-50422-A-

NOT RECORDED

176 MAR 31 1965

The Washington Post and Times Herald _____
The Washington Daily News _____
The Evening Star _____
New York Herald Tribune _____
New York Journal-American _____
New York Daily News 60 _____
New York Post _____
The New York Times _____
The Baltimore Sun _____
The Worker _____
The New Leader _____
The Wall Street Journal _____
The National Observer _____
People's World _____
Date _____

MAR 21 1965

135

66 APR 1 - 1965

ORIGINAL FILED IN 80

UNITED STATES GOVERNMENT

Memorandum

TO : W. C. Sullivan

DATE: 6/19/67

FROM : D. J. Brennan, Jr.

SUBJECT: [REDACTED]

LIAISON MATTER

Tolson _____
DeLoach _____
Mohr _____
Wick _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

gm

Congressman John E. Moss (Democrat - California) is demanding that Navy make FBI information available to him on [REDACTED], who was denied an officer's commission in February, 1967. The Navy has refused and has discussed the matter orally with Justice which has indicated it will concur in the refusal on receipt of a formal letter from Navy. Copy of Navy's contemplated letter to Attorney General, enclosing copy of 1/11/67 letter from our San Francisco Division to Navy, and copy of Navy's memorandum of 6/9/67 conversation with Moss wherein he became aware of FBI involvement in [REDACTED] situation, are attached.

On 6/16/67, Captain [REDACTED], the Navy Secretary's Special Counsel, got in touch with Liaison telephonically to alert us to Mr. Moss's demand and to express the Navy's apologies and deep regret that Navy Captain [REDACTED] of the Bureau of Naval Personnel, had improperly and unnecessarily revealed, in conversation with Moss, that information regarding some "questionable" activities of [REDACTED] while home in California on Christmas leave in 1966 had come from the FBI. This revelation prompted Moss to demand to see the report. Captain [REDACTED] was told that we are very disturbed that such a gratuitous breach could occur and that we expect the party responsible will be appropriately disciplined and steps taken to preclude a recurrence. Captain [REDACTED] replied that Navy Under Secretary [REDACTED] is extremely angry with Captain [REDACTED] for his error and personally sorry that the FBI's name became involved. [REDACTED] added that a very heated discussion took place on 6/16/67 between Moss and [REDACTED] who continued to refuse to make the FBI information available.

Enc. 6-20-67 94-50422-

JMF:ad

(7)

NOT RECORDED

47 JUN 26 1967

CONTINUED - OVER

- 1 - Mr. DeLoach
- 1 - Mr. Wick
- 1 - Mr. Sullivan
- 1 - J. F. Bland
- 1 - Liaison
- 1 - J. M. Fitzgerald

54 JUL 5 1967

JUN 22 1967

LIAISON

RECORDED COPY FILED IN 42-111505-4 ORIGINAL FILED IN

Memorandum to W. C. Sullivan
From D. J. Brennan, Jr.
RE: [redacted]

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Following this, [redacted] said, he was directed by [redacted] to talk to Justice for advice as to whether [redacted] should continue to resist Moss's demand. He then discussed the situation with Mr. John F. Doherty in the office of Mr. J. Walter Yeagley.

We have not conducted an investigation regarding [redacted]. However, by letter of 1/11/67 (copy attached), San Francisco furnished Navy information received from a security informant about an unknown subject in attendance at a meeting of the Students for a Democratic Society at Berkeley, California, on 12/10/66. Disclosure of the letter would probably expose our informant. The unknown subject said he was an officer candidate at Pensacola Naval Air Station, due to graduate 2/10/67; that he had taught courses in communism and Russian to other officer candidates with intent to change their views to fit his; and that he was interested in becoming an officer to spread "the gospel." Based on this and other identifying data, Navy investigation concluded that [redacted] was the unknown subject. He was not commissioned with his class and is now in the rating of Seaman Apprentice. Navy's investigation also turned up an allegation that [redacted]

[redacted] Navy has been furnished all information we have pertinent to [redacted].

ACTION:

(1) Attached for approval is a letter to the Attorney General, copies to the Deputy Attorney General and Assistant Attorney General Yeagley, which informs them of the situation.

(2) Liaison will follow Navy for any further developments of interest to the Bureau.

C-0-P-7

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation
Federal Building
430 Golden Gate Drive
San Francisco, California

January 11, 1967

b6
b7C

Commanding Officer
Naval Investigative Service Office
Federal Office Building
30 Fulton Street
San Francisco, California 94102

RE: UNKNOWN SUBJECT [] (LAST NAME UNKNOWN),
ALLIED OFFICER CANDIDATE,
PENSACOLA NAVAL AIR STATION,
PENSACOLA, FLORIDA, FEBRUARY 10, 1967
SECURITY MATTER - STUDENTS FOR A DEMOCRATIC
MOVEMENT

Dear Sir:

On December 26, 1966, a source reported on a workshop held at the United Fellowship Hall, Berkeley, California, on December 10, 1966, in connection with a Students For a Democratic Society (SDS) convention at the University of California at Berkeley. This workshop concerned the military and the draft. The source reported that one [] described as 5'10", dark blond hair, light brown eyes, reddish complexion, and prominent nose, was present and stated that he was an officer candidate at the Pensacola Naval Air Station, Pensacola, Florida, and was to be graduated on February 10, 1967. He also indicated that he was first in his class, both academically and physically. [] also related that he had taught courses in Communism and Russian to other officer candidates with the intent of changing their views to fit his. He said he was interested in becoming an officer and then spreading "the gospel." He said that once he got his commission, the Navy would be reluctant to do anything about his political views.

ENCLOSURE

94-50422-

C-0-P-7

ENCLOSURE

Dear Mr. Attorney General:

Based on the attached report of the Federal Bureau of Investigation the commission of [redacted], USNR, aviation officer candidate, was withheld.

Representative John E. Moss (D-California) complained to the Bureau of Naval Personnel concerning the withholding of [redacted] commission. A representative of the Bureau of Naval Personnel, in discussing the case with Mr. Moss, revealed that the FBI report existed and that an FBI informant was involved. A resume of that conversation is also attached.

Congressman Moss is now demanding that I make the FBI report available to him but I have refused. Mr. Moss has stated that he will initiate an independent investigation on his part to identify the informant.

I would appreciate your immediate advice as to whether I should continue to resist Mr. Moss's demand for this report and, if so, the grounds for refusal that I should assert.

Sincerely,

[redacted]
Honorable Ramsey Clark
Attorney General
Department of Justice
Washington, D. C.

Enclosures

Prep: OSN(SC) 6/16/67 c.a.d.

94-50422-

ENCLOSURE

ENCLOSURE

C-C-P-Y

In view of the limited number of individuals present at this workshop, extreme care should be utilized in the dissemination and use of the above information in order to protect the identity of the source and the information, if used, should be paraphrased.

No further information concerning [] has come to the attention of the source and efforts to further identify him are being continued.

Very truly yours,

CURTIS O. LYNN
Special Agent in Charge

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b7c

September 22, 1967

BY LIAISON

Honorable John Emerson Moss
House of Representatives
Washington, D. C. 20515

My dear Congressman:

JOHN E. MOSS

The FBI will open an additional office in California at 2020 J Street, Sacramento, on September 25, 1967. Special Agent in Charge John H. Williams and his Assistant, [redacted] will direct our operations in the area covered by this new facility.

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Our growing responsibilities in the state, coupled with a desire to furnish maximum service to the citizens, have prompted this action. Please do not hesitate to call upon us when we can be of help to you or your constituents.

Sincerely yours,

- 1 - Sacramento
1 - San Francisco

NOTE: Relations with Congressman Moss have been generally not favorable. An article in the "Washington Post and Times Herald" on 11-15-55, reflected Moss would ask the Attorney General by what authority FBI Agents investigated reporters. It indicated a House Subcommittee headed by Moss intended to investigate complaints that security checks were made on newspaperman who develop information before the Government had approved it for release. Since then we have handled constituents inquiries upon referral from him. It is felt that a letter is warranted inasmuch as he represents Sacramento County.

DFC:nls/almg
(8)

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

October 14, 1968

Honorable John E. Moss
House of Representatives
Washington, D. C.

Dear Congressman:

This refers to your letter of September 19, 1968, concerning an article by J. Edgar Hoover which appeared in the July issue of the FBI Law Enforcement Bulletin. In my letter of September 11, in response to your earlier inquiry, I noted that Mr. Hoover's article was in response to a statement by a candidate for nomination for the Presidency to the effect that the Federal Bureau of Investigation, under Mr. Hoover's direction, operates autonomously and without proper control.

Mr. Hoover's reply, which appeared in a technical and statistical bulletin sent out to law enforcement officers, cannot be interpreted as made "for the purpose of interfering with, or affecting the nomination... of any candidate for the office of President..." under Title 18, United States Code, Section 595. The clear purpose of the statement was to advise law enforcement officers that the Federal Bureau of Investigation was not administered in the manner charged by the candidate for nomination for the Presidency.

Sincerely,

Fred M. Vinson, Jr.
Assistant Attorney General

ENCLOSURE

EX-102

Director
Federal Bureau of Investigation

REC-1

94-50422-8

18 OCT 24 1968

CRIME RESEARCH

JOHN E. MOSS
3D DISTRICT
SACRAMENTO, CALIFORNIA

WASHINGTON OFFICE:
ROOM 2353
RAYBURN HOUSE OFFICE BUILDING
PHONE (202) 225-7163

DISTRICT OFFICE:
8014 FEDERAL BUILDING
650 CAPITOL MALL
PHONE (916) 449-3543
SACRAMENTO, CALIFORNIA 95814

DEPUTY MAJORITY WHIP

COMMITTEES:
INTERSTATE AND FOREIGN COMMERCE

CHAIRMAN, SUBCOMMITTEE ON
COMMERCE AND FINANCE

GOVERNMENT OPERATIONS

CHAIRMAN, SUBCOMMITTEE ON
FOREIGN OPERATIONS AND
GOVERNMENT INFORMATION

Congress of the United States
House of Representatives
Washington, D.C. 20515

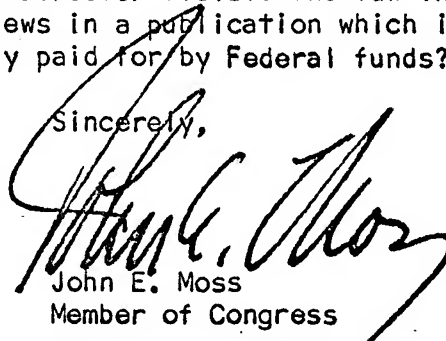
September 19, 1968

Fred M. Vinson, Jr.
Assistant Attorney General
Department of Justice
Washington, D. C. 20530

Dear Mr. Vinson:

Your letter under date of September 11, 1968, concerning Mr. J. Edgar Hoover was most equivocating in response to my basic question: Did the Director violate the law in expressing personal political views in a publication which is government sponsored and wholly paid for by Federal funds?

Sincerely,



John E. Moss
Member of Congress

JEM:Py

94-50422-8

ENCLOSURE

OKS 14
JOHN E. MOSS
3d DISTRICT
SACRAMENTO, CALIFORNIA

WASHINGTON OFFICE:
ROOM 2185
RAYBURN HOUSE OFFICE BUILDING
PHONE (202) 225-7163

DISTRICT OFFICE:
8014 FEDERAL BUILDING
650 CAPITOL MALL
PHONE (916) 449-3543
SACRAMENTO, CALIFORNIA 95814

Congress of the United States
House of Representatives
Washington, D.C. 20515

DEPUTY MAJORITY WHIP

COMMITTEES:
INTERSTATE AND FOREIGN COMMERCE

CHAIRMAN, SUBCOMMITTEE ON
COMMERCE AND FINANCE

GOVERNMENT OPERATIONS

CHAIRMAN, SUBCOMMITTEE ON
FOREIGN OPERATIONS AND
GOVERNMENT INFORMATION

March 12, 1969

Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation
9th and Pennsylvania Avenue
Washington, D. C. 20535

EW

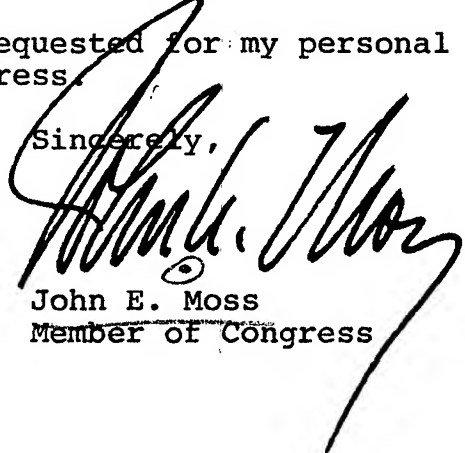
7-1

Dear Mr. Hoover:

I would appreciate receiving a copy of
"Combating Thefts From Shipments", and such
additional material that you might have avail-
able on the subject of truck hijacking.

This material is requested for my personal
use as a Member of Congress.

Sincerely,

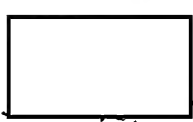


John E. Moss
Member of Congress

4

JEM:Jv

ack/pam
3-14-69
Lmg:ccx



REC 44 94-50422 9

12 MAR 17 1969

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CORRESPONDENCE

March 14, 1969

REC 44

94-544-19

Honorable John E. Moss
House of Representatives
Washington, D. C. 20515

My dear Congressman:

In reply to your letter of March 12th,
I am enclosing a copy of "Combating Thefts From Ship-
ments," the only available material on the subject of
interest to you. I regret I cannot be of more assistance
to you in this instance.

Sincerely yours,

J. Edgar Hoover

Enclosure

NOTE: Congressman Moss represents the 3rd District of California. We have corresponded with Moss over the years, last outgoing 8/20/68. Our relations with him have not been favorable. During 1958, he criticized Attorney General concerning too much secrecy in Government and was on House Committee studying the use of the polygraph by Federal agencies in 1963. During 1968, Moss questioned the propriety of the Director's message in LEB rebutting certain statements made by Senator McCarthy against the Bureau.

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

LMG:llk (4)

MAR 26 1969

TELETYPE UNIT

Federal Bureau of Investigation
Records Section

, 19__

☐ Name Searching Unit, 4543 JEH-FBI Bldg.
☐ Service Unit, 4654 JEH-FBI Bldg.
☐ Forward to File Review
☐ Attention **5448b**
☒ Return to **4704 SB 2461**
 Supervisor Room Ext.

b6
b7C

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☒ Main References Only

Approved see info

Type of Search Requested:

☐ Restricted to Locality of
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject John E. Moss
 Birthdate & Place 4/13/15, Utah
 Address Cory Creek

Localities Calif.

R# Date 3/31 Searcher Initials be

Prod.

FILE NUMBER SERIAL

I 9-44749 - victim

MFAR 26-131310

I 94-50422 ✓

I 95-111882 ✓ Anon letter

I 95-132762 ✓ Anon letter

Call I 62-99229-187 (den. 3/14/64) ✓

 John

NR 88-68448 -

NI 179-1124

 Name MF as John, Only listed
 was listed.

 Approved 1006/150 see info

NUMEROUS REFERENCE

SEARCH SLIP

Subj:

John E. Moss

Supervisor

Room

R#

36

Date _____

4-2

Searcher

Initial

er *Lane*

Prod.


10

Pg 7

FILE NUMBER

SERIAL

John Mass



100-375996-2

XII

100-365882-1

M

100 - 365437-41

101

100 - 361698-2

M

— /

NP

100-361031-64

NA

100 - 235 070 - 454

11

100-193402-1

J. E. Moss

11

100-303046-1

M

173-3936-1

NUMEROUS REFERENCE

SEARCH SLIP

Subj: John E. Moss

Supervisor _____

Room _____

R# 365Date 4-2

Searcher

Initial SanProd. 25

FILE NUMBER

Pg 5

SERIAL

	FILE NUMBER	SERIAL
M	John Moss	11
M	100-185087-433,	434,
M		-419 end p 333,
M		-389
M		-373
M		-320 p 48,
M	100-163523-2	
M	100-31172-14	
NR	80-607-250	
AT	9-2777-65	PAF (5)
M	91-5-695	
M	60-1501-2789	
M	87-73804-4	
NI	87-28257-21	
M	105-55211-300 end p 3,	
NR	105-86419-2	
NR	105-18127-3	
NR	-1	
NI	105-16061-3	AFM
M	105-1043-1	
M	103-91-6	
M	101-924-13	
M	100-420481-2 end p 36	
M	100-377003-1	

NUMEROUS REFERENCE

SEARCH SLIP

Subj: John E. Moss

Supervisor _____

Room _____

R# 365Date 4-2

Searcher

Initial SanProd. 21

FILE NUMBER

Pg 6

SERIAL

FILE NUMBER	SERIAL
NI John Moss	
NI 62-39749-1990p17;	
NI 62-9-9-1325 encl p10;	
NI 62-9-9-1004p27,28;	
NI 62-9-9-339	
NR 80-607-1533p8;	
NR 80-607-1397	
NR 1380	
NI 77-48301-9	
NI 72-467-11	
NR 44-1406-82p9;	
NI 62-9-4-173p3,4,5,7,8,9,12	
NI 62-9-4-165	
NI -2-154p11; NS	
67-46800-55	
NI 65-65843-48p16;	
NI -29p3;	
NI 61-10170-911	
NI -880	
NI 61-10149-96	
Bulky 61-16-1591 encl p127	
KI 56-0-3581	
NI -2999	
NI 47-34600-11 AAF NS	

NUMEROUS REFERENCE

SEARCH SLIP

Subj: John E. MossSupervisor Room R# 365 Date 4-2 Searcher Initial JanProd. 19

FILE NUMBER

SERIAL

21-31557	MF	1301
26-131310-4	MF	133
26-131310-3	MF	132
23-1207-1	MF	131
3	MF	130
NI	12-0-7018	
NI	7-4426-302	
NI	-240	
NI	7-567-12664	
M	7-0-6944	
NR	87-23471-113	
NR	87-21634-23	
NR	-13	
NR	87-18487-190pg;	
NR	87-18487-174	
NR	-160	
NR	-154 p10;	
NR	87-18487-142	
NR	-135	
NR	-50	
NI	64-29833-221-1041	NS
XNY	62-83894-452	✓
✓	65-74060-A Wash Capital News Service	

NUMEROUS REFERENCE

SEARCH SLIP

Subj: John MossSupervisor 365Room R# Date 4-2

Searcher

Initial SamProd.

FILE NUMBER	Pg 3	SERIAL
<u>M</u> 157-6-12-598		
<u>M</u> 162-2389-15		
<u>M</u> 64-200-241-842 end p7;		
<u>M</u> -837 end p8;		
<u>M</u> -818 end p7;		
<u>M</u> -817 end p8;		
<u>M</u> -813 end p14;		
<u>M</u> -790 end p6;		
<u>M</u> -790 end p7;		
<u>M</u> -771 end p4;		
<u>M</u> -738		
<u>M</u> -723		
<u>M</u> -718		
<u>M</u> -706		
<u>M</u> -642		
<u>M</u> -602		
NEWSPAPER		
<u>M</u> 64-200-241-A London Daily		
<u>M</u> Worker 12-3-56		
<u>M</u> -A London D.W. 3-11-54		
<u>M</u> 62-75147-44-34 p157		
<u>M</u> 62-75147-9-75 end p24;		
<u>M</u> -72 end p31A;		
<u>M</u> -44		
<u>M</u> 62-39749-1990 p17		

Federal Bureau of Investigation
Records Section

4-2, 1975

☐ Name Searching Unit - Room 6527☒ ~~Name Searching Unit - Room 6524~~☐ Forward to File Review☐ Attention ☐☐ Return to ☐

Supervisor

Room

Ext. 2461

Type of References Requested:

☐ Regular Request (Analytical Search)☒ All References (Subversive & Nonsubversive)☐ Subversive References Only☐ Nonsubversive References Only☐ Main _____ References Only

Type of Search Requested:

☐ Restricted to Locality of _____☐ Exact Name Only (On the Nose)☐ Buildup☐ VariationsCONGRESSMANSubject JOHN E. MOSS,Birthdate & Place 4/13/15

Address

CALIF, WDC,Localities ✓R# 365

Date

4/2

Searcher

Initials enProd. 13

FILE NUMBER

SERIAL

NEED ALL MAINS + REFSTHAT YOU CANNOT ELIMINATE ASBEING IDENTICAL TO CONGRESSMANMOSS -MNR26-131310Full95-111882WDC95-132762✓1-1152-407✓65-34092-9075-41✓62-98784-89 p28✓62-98194-90✓62-98555-A✓62-75147-47-129 p65✓65-74060-A✓65-74060-A✓94-1-4307-83 p2✓94-8-350-892✓15-8629✓15-8629✓15-8629✓15-8629✓15-8629✓15-8629✓15-8629✓15-8629John Emerson (hw)PAFb6
b7C

NUMEROUS REFERENCE

SEARCH SLIP

Subj: John E. MossSupervisor Room R# 365 Date 4-2 Searcher Initial SanProd. 18

FILE NUMBER

Pg ²

SERIAL

	FILE NUMBER	SERIAL
	<u>John Moss</u>	
<u>N</u>	<u>179-1124</u>	
<u>M</u>	<u>95-72338</u>	
<u>N</u>	<u>70-17291</u>	<u>MF 10</u>
<u>NR</u>	<u>47-53580</u>	
<u>NR</u>	<u>62-75137</u>	
<u>NR</u>	<u>44-24709</u>	
<u>N</u>	<u>15-3805</u>	<u>MF 1</u>
<u>NR</u>	<u>9-12858</u>	<u>MF 1 13</u>
<u>-</u>	<u>26-996</u>	<u>MF 10</u>
<u>-</u>	<u>23-1209</u>	<u>MF 12</u>
<u>N</u>	<u>87-93855</u>	
<u>✓ You HAVE</u>	<u>95-132762</u>	
<u>NR</u>	<u>166-480</u>	
<u>M</u>	<u>162-423-26</u>	
<u>M</u>	<u>162-412-5</u>	
<u>M</u>	<u>157-11586-23</u>	
<u>M</u>	<u>157-10555-611</u>	
<u>M</u>	<u>140-34805-15</u>	<u>AR</u>
<u>NR</u>	<u>140-9254-4</u>	<u>419/5</u>
<u>NR</u>	<u>121-25871-2</u>	
<u>M</u>	<u>64-200-241-860</u>	<u>P7</u>
<u>M</u>	<u>-857</u>	<u>P4</u>
<u>M</u>	<u>-842</u>	<u>end P7</u>

Form No. 10-1a
(Rev. 11-20-63)

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	Director, FBI			5633
2.				
3.				
4.				

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

|| For your information

Fred M. Vinson, Jr.

FROM:	NAME	BUILDING, ROOM, EXT.	DATE
1.	ASSISTANT ATTORNEY GENERAL Criminal Division	2107 - 2601	10/14/68

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

TEB
WJ
WJ
CJ Patterson
R.W. Smith
G. L. ...
J. ...
Reese
MA Jones

EXP. PROC.
OCT 15 1968

54 NOV - 5 1968

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: 7/31/69

FROM : T. E. Bishop

SUBJECT:

ARMY SERIAL NUMBER US
DESERTER

Tolson ☒
DeLoach ☒
Mohr ☒
Bishop ☒
Casper ☒
Callahan ☒
Conrad ☒
Felt ☒
Gale ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

Reference is made to memorandum from Mr. Gale to Mr. DeLoach dated 7/30/69 (copy attached). This memorandum reflects that subject has petitioned Congress to award him \$50,000 claiming he was wrongfully charged with desertion which caused his arrest by the FBI. In addition, he alleges that Agents assaulted and battered him and forceably dragged, bruised or strained him at the time of the arrest and immediately thereafter.

Based on a request by the Army to locate subject as a deserter he was confronted by Agents in his yard on 5/22/69 at Sacramento, California. He was advised of Agents' identities and the desertion charge against him. When he admitted his identity, he was placed under arrest and simultaneously handcuffed. At that time he claimed to be discharged and he was taken to the door of his residence where his sister also stated he was discharged and the handcuffs were removed. Subject then produced an honorable discharge dated 3/5/69. At subject's request, he was furnished a copy of the DD-553 form declaring him a deserter. This form was from the Army and was dated April 14, 1969. The Agents departed without the subject. The elapsed time from the Agents' approach until they departed was only sixteen minutes, which is substantiated by affidavits and an interview log. The Agents have prepared affidavits, copies of which are being submitted to the Bureau, setting forth the above facts and specifically denying the use of force of any type on subject.

A letter outlining the above facts has been sent under date of 7/31/69 to Congressman Emanuel Celler in his capacity as Chairman of the House Judiciary Committee, pursuant to a request which he made to the Attorney General in a letter dated 7/24/69.

Enclosures

- 1 - Mr. DeLoach - Enclosure
- 1 - Mr. Mohr - Enclosure
- 1 - Mr. Callahan - Enclosure
- 1 - Mr. Gale - Enclosure
- 1 - Mr. M.A. Jones - Enclosure
- 1 - Mr. Bowers - Enclosure

TEB:jo
(9)

SENT DIRECTOR

7-31-69 (CONTINUED - OVER)

b6
b7C

ORIGINAL FILED IN 67-1146

67-646011-196
1 AUG 2 1969

NOT RECORDED

16 AUG 19 1969

PERS. REC. UNIT

Bishop to DeLoach (continued)

Re:

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b7c

Current Development:

On the morning of 7/31/69, Congressman John E. Moss (D.-California) with whom our relations are most circumspect and who is Chairman of the Subcommittee on Foreign Operations and Government Information, House Committee on Government Operations (Freedom of Information Committee) requested Bishop to see him in his office. Bishop, accompanied by Inspector Bowers, saw Moss at 12 noon, 7/31/69, at which time he brought up the above-captioned case. He expressed obvious sympathy for the subject and indicated that he believed that the subject's allegations that the Agents used force against him will be supported by affidavits of other persons. He was advised of the facts of the case as outlined above and stated that he was satisfied that the initial mistake in this case had been made by the Army in improperly listing subject as a deserter but advised that he was still concerned with the allegation of undue force on the part of the Agents. He demanded, ^{the affidavits of the Agents} under the provisions of the Freedom of Information Act, threatening to convene his Subcommittee and subpoena the Agents if his demand was not complied with. He was advised that the affidavits had not yet reached Washington and that, in any event, under procedures laid down by the Attorney General, a request of this nature must be forwarded by the Bureau to the Deputy Attorney General who would make the decision as to whether the affidavits will be furnished. He then instructed that the Deputy Attorney General be notified of his request for the affidavits today, and directed a staff member to contact the Deputy Attorney General to confirm his request.

RECOMMENDATIONS:

(1) That the attached communication be sent to the Deputy Attorney General advising him of the request of Congressman Moss and enclosing for the Deputy a copy of the Director's letter to Congressman Celler of July 31, 1969 on the same matter.

OK
H

(2) Inasmuch as the affidavits have not yet reached Washington, the Special Investigative Division, upon their receipt, should immediately send a follow up communication to the Deputy Attorney General sending him copies of the affidavits.

[Handwritten signatures and initials]
P, J. Edgar Hoover, OK, BE, 1/28/69, J. M. [unclear]

The Deputy Attorney General

July 31, 1969

Director, FBI

ARMY SERIAL NUMBER US
DESERTER

74-50422-
SENT FILE D. O.
TIME 6:25 PM
DATE 7-31-69
BY [signature]
7-31-69

ADMINISTRATIVE PROCEDURE ACT
PUBLIC INFORMATION SECTION

For your information, I am enclosing herewith a copy of a letter from me to Congressman Emanuel Celler, Chairman of the Committee on the Judiciary of the House of Representatives, dated July 31, 1969, concerning a petition filed with Congress by [redacted]. The petition was brought to the attention of the Attorney General by Congressman Celler in a letter dated July 24, 1969. The enclosed letter contains the basic facts concerning the case involving [redacted].

On July 31, 1969, Congressman John E. Moss, who is Chairman of the Subcommittee on Foreign Operations and Government Information, House Committee on Government Operations, advised my representative that he is considering introducing a private Bill on behalf of [redacted]. He stated he is concerned about an allegation made by [redacted] that FBI Agents used undue force in effecting his arrest. When advised that FBI Agents have denied such allegations in affidavits, he demanded that copies of these affidavits be furnished to him on July 31, 1969, under the terms of the Public Information Section of the Administrative Procedure Act (Title 5, U.S. Code, Section 552). He was advised that these affidavits have not yet reached Washington from Sacramento, California, and that his request for the affidavits under the above Act would be brought to the attention of the Deputy Attorney General in accordance with established policy. At this point he demanded that his request for the affidavits be brought to the attention of the Deputy Attorney General immediately and instructed a member of his staff to telephonically communicate with you to reiterate his request. He also indicated that, if his request for the affidavits is not complied with, he would seriously consider convening his Subcommittee to subpoena the arresting Agents to require their testimony before his Subcommittee.

The affidavits of the arresting Agents will be furnished to you immediately upon their receipt by this Bureau.

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holloman _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

54 AUG 25 1969

(See NOTE and copies -- Next Page)

ORIGINAL FILED IN 67-646011-176

The Deputy Attorney General

- 1 - Mr. DeLoach (sent direct)
- 1 - Mr. Mohr (sent direct)
- 1 - Mr. Callahan (sent direct)
- 1 - Mr. Gale (sent direct)
- 1 - Mr. M.A. Jones (sent direct)
- 1 - Mr. Bowers (sent direct)

NOTE: See Bishop to DeLoach memo 7/31/69 re [redacted]
Army Serial Number US [redacted] Deserter."

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : MR. TOLSON

DATE: 3/26/70

FROM : C. D. DeLoach

cc Mr. DeLoach

SUBJECT: MORTGAGE LOAN TO CONGRESSMAN JOHN E. MOSS (D.-Calif.)
Possible article by Washington Post

Tolson _____
DeLoach _____
Walters _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
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Tele. Room _____
Holmes _____
Gandy _____

At one point during this morning, I was told by my secretary that a [] wanted to speak to me on the phone. [] had not announced his business affiliation.

[] asked me if I had served briefly as a member of the Board of Directors of the Northern Virginia Savings and Loan Association. This being a matter of public record in Virginia banking records, I answered in the affirmative.

He then told me that he had called [] and a number of doctors and lawyers who had been or were currently serving on this Board, to ask them if they recalled approving a house mortgage loan for Congressman John E. Moss (Democrat - California).

I told [] that I did not recall any such loan; that I had served on the Board for only a very short time, and that I had resigned simply because I didn't have time to attend meetings. I asked him what appeared to be wrong with the loan. He replied that perhaps nothing was wrong; however, Congressman Moss was given an interest rate of six percent sometime last year, while other applicants had to pay six and one-half percent.

I told [] I knew nothing about the matter and that frankly I had never met or talked with Congressman Moss. [] expressed appreciation and asked for my title. I asked him why he was asking such questions and he replied that he was a reporter for the Washington Post and that he was doing an article on Congressman Moss. I asked [] why he had not announced his affiliation upon being connected with me. He replied that if I had known his affiliation, I probably wouldn't have talked with him. I stated he assumed correctly; however, I had nothing to hide from his paper or any other paper.

CDD:CSH (2)

CONTINUED-----OVER

12 MAR 31 1970

54 APR 14 1970

CRIMINAL DIVISION
FILE

Mr. Tolson

I checked with the President of this Bank and asked him relative to the loan in question. He replied that [] had called him. He stated there was absolutely nothing wrong with the loan to Congressman Moss; that Moss had been treated just like everyone else. He added that Moss had put up an argument for a lower interest rate, and that six percent interest had been charged instead of six and one-half percent. He stated that Moss had good collateral and that the house upon which the mortgage had been made was valued at \$95,000. The loan was for \$65,000.

b6
b7C

ACTION:

None. This is simply a muck-raker trying to stir up trouble. I should have challenged him in the opening moments of our conversation, rather than at the end.

P ✓

ADDENDUM:

Simply for record purposes, Reporter [] called my office again, at approximately 5 p.m., 3/26/70, and stated he had finished checking out this matter and had ascertained that he had been wrong in his assumptions; that he had found out this was an entirely legal loan and there was absolutely nothing wrong with the transaction. He stated he had also ascertained that I knew nothing about this matter.

[] stated that while he still might write a story pointing out that Congressman Moss received $\frac{1}{2}\%$ lower rate of interest than a number of other individuals during a given month, he felt the story wouldn't carry much weight, inasmuch as he had discovered the going rate of interest at that time was $7\frac{1}{2}\%$ and Congressman Moss received a 7% loan. He stated he knew, from his own experience, that the arrangement of interest was entirely up to the bank. I made no comment.

It should be further noted that the President of this bank called me this afternoon and stated he had been in error in stating Congressman Moss received a 6% loan; that actually the

Mr. Tolson

ADDENDUM (continued)

rate of interest was 7%; that the going rate of interest at the time the application was made was either 7 or 7½%, the choice being up to the bank according to the collateral given by the applicant, et cetera. The President of the bank also told me that this particular file had been recently audited during the regular annual audit by bank examiners, and nothing whatsoever had been found to be wrong with the transaction.

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
DeLoach _____
Walters _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

b6
b7C

TO : Mr. DeLoach

FROM : T. E. Bishop

SUBJECT: CONGRESSMAN JOHN E. MOSS
INQUIRY RE [REDACTED]
HIJACKING CASE

DATE: July 17, 1970

By letter of July 15, 1970, Congressman John E. Moss advised that newspaper reporters had complained to the Government Information Subcommittee that they had been thwarted in their efforts to cover the recent hijacking incident at Dulles International Airport (he is referring to the [REDACTED] case).

Moss states that Chief Dillon of the airport police at Dulles claimed that at a meeting in the Dulles Airport Manager's office everyone present was instructed by the FBI Agent in charge not to release any information.

Moss caustically inquires whether such instructions were issued.

In teletype dated 7/16/70, SAC, Alexandria points out that at no time did he or any of the FBI Agents issue instructions to non-FBI personnel not to release information concerning the hijacking. He requested that airport police and FAA employees form an effective cordon to keep the crowd, including representatives of the press, away from the area where the hijacked plane was to come down. This was essential to provide for the safety of the public as information indicated that a homicidal maniac with a gun and volatile inflammables was aboard the plane.

RECOMMENDATION:

EX-109

14 JUL 22 1970

That attached letter be forwarded to Congressman Moss.

- Enclosure
- 1 - Mr. DeLoach - Enclosure
 - 1 - Mr. Rosen - Enclosure
 - 1 - Mr. Jones - Enclosure
 - 1 - Mr. Malmfeldt - Enclosure
 - 1 - Mr. Bishop - Enclosure

HPL:jmb

66 AUG (5) 3 1970

JUL 23 1970

CORRESPONDENCE

UNRECORDED COPY FILED IN 164-1222-

JOHN E. MOSS
3RD DISTRICT
SACRAMENTO, CALIFORNIA

ADMINISTRATIVE ASSISTANT
JACK MATTESON

LEGISLATIVE ASSISTANT
TOM GREENE



WASHINGTON OFFICE:
ROOM 2354
RAYBURN HOUSE OFFICE BUILDING
PHONE (202) 225-7163

DISTRICT OFFICE:
DISTRICT REPRESENTATIVE
JERRY WYMORE
8058 FEDERAL BUILDING
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814
PHONE (916) 449-3543

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

GOVERNMENT OPERATIONS COMMITTEE
SUBCOMMITTEES:
LEGISLATION AND NATIONAL SECURITY
GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS

DEMOCRATIC STEERING AND POLICY COMMITTEE

INTERSTATE AND FOREIGN COMMERCE COMMITTEE:
CHAIRMAN,
OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE

JOINT COMMITTEE ON ATOMIC ENERGY

March 11, 1975

John E. Moss

Honorable Clarence Kelley
Director
Federal Bureau of Investigation
Justice Building
9th and Pennsylvania Avenue
Washington, D.C. 20535

Dear Mr. Kelley:

I should like to know whether or not the FBI possesses any information on me, in a formal file compilation or otherwise arranged, and exactly what form it takes. Should such records exist, I shall require a copy of all the information, especially any bearing on my personal and/or official actions at any time since I became a holder of elective office (1946). This request is made in my capacity as Ranking Member of the Legislative and National Security Subcommittee of the House Government Operations Committee, and a prompt response is expected.

Sincerely,

John E. Moss
John E. Moss
Member of Congress
(D-CALIFORNIA)
JEM:F

Assoc. Dir. _____
Dep. Dir. _____
Dep. Asst. Dir. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

He'll ph. K.

EXP. PROC.

MAR 12 1975

ST-105

REC-13

94-50422-12

17 MAR 12 1975

*ack 4/3/75
T.H.B./dhr*

Leg. Counsel

April 3, 1975

ST-105

REC- 13

94-50422-12

1 - Mr. Hotis

Honorable John E. Moss
House of Representatives
Washington, D. C. 20515

b6
b7C

Dear Congressman Moss:

This is to acknowledge your letter directed to me under date of March 11th, requesting information as to whether the FBI possesses any data concerning you in our files.

A review of our central files conducted to date has disclosed we maintain a file reflecting investigation concerning an extortion matter in which you were a victim, the outcome of which was reported to you by letter dated February 8, 1966. Additionally, we have conducted laboratory examinations regarding various anonymous letters directed to you and referred to us for this purpose. We also maintain a correspondence-type file relating to exchange of communications between you and this Bureau over the years.

Our files contain several references to the name John Moss, appearing not as the subject of investigation, but as being referred to in connection with the investigations of other subject matters. An extensive search is required and is presently being undertaken to determine the number, if any, of these references that are identical to you.

We have experienced an extremely heavy volume of requests under the recently amended Freedom of Information Act, and I trust you can understand this has caused a delay in the processing and response to your request. I anticipate that within fifteen working days additional information concerning your request will be furnished to you.

Sincerely yours,

E. M. Kelley

1 - Bureau file 62-115530 Clarence M. Kelley

(FOR REPLIES)

Director

1 - The Deputy Attorney General - Enclosure

(Attn: [redacted])

MAIL ROOM ☐

TELETYPE UNIT ☐

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
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Spec. Inv. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

MAILED 7
APR 7 1975

Honorable John E. Moss

NOTE: The possibility of handling Congressman Moss' request by liaison has been discussed with Legal Analysis Unit, however, the 100-150 references to John Moss will have to be reviewed prior to this. It is presently being conducted.

JOHN E. MOSS
3RD DISTRICT
SACRAMENTO, CALIFORNIA

ADMINISTRATIVE ASSISTANT
JACK MATTESON

LEGISLATIVE ASSISTANT
PATRICIA LYNCH



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

GOVERNMENT OPERATIONS COMMITTEE

SUBCOMMITTEES:

LEGISLATION AND NATIONAL SECURITY

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS

DEMOCRATIC STEERING AND POLICY COMMITTEE

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CHAIRMAN,

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JOINT COMMITTEE ON ATOMIC ENERGY

WASHINGTON OFFICE:
ROOM 2334
RAYBURN HOUSE OFFICE BUILDING
PHONE (202) 225-7163

DISTRICT OFFICE:
DISTRICT REPRESENTATIVE
JERRY WYMORE
8058 FEDERAL BUILDING
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814
PHONE (916) 449-3543

Assoc. Dir.	_____
Dep. AD Adm.	_____
Dep. AD Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
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Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director Sec'y	_____

June 20, 1975

The Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
Justice Building
9th and Pennsylvania Avenue
Washington, D.C. 20535

Dear Mr. Kelley:

Reference is made to my request of March 11, 1975, and your interim reply of May 19, 1975. I continue to be in need of copies of material in your files relating to me and I am looking forward to hearing from you in the immediate future.

Sincerely,

John E. Moss
Member of Congress

JEM:Jt

EX-112

REC-83

94-50422

JUN 20 1975

54 JUN 22 1976

FBI

EXP. PROC.
JUN 28 1975

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mintz

~~SECRET~~

DATE: July 11, 1975

FROM : Mr. McDermott *mm*

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) *O*
REQUEST FROM CONGRESSMAN JOHN E. MOSS

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
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Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

By the attached letters dated March 11, 1975, and June 20, 1975, Congressman Moss, who is Ranking Member of the Subcommittee on Legislative and National Security, Committee on House Government Operations, inquired whether a file was maintained on him and if so, requested a copy of all information in the file. We have furnished a response to his first letter indicating we would process his request.

We have one main file on Congressman Moss (94-50422) which has been maintained since 1957, and ten "see" references. The main file generally reflects an exchange of communications between him and the Bureau, newspaper articles, lab examinations and anonymous letters directed to him. The inter-office memoranda in the file contain no reasonably segregable portions and are considered exempt from disclosure pursuant to Title 5, United States Code, Section 552 (b) (5).

One such memorandum considered exempt is from D. J. Brennan, Jr. to Mr. Sullivan dated June 19, 1967, which relates information concerning a demand by Congressman Moss that the Navy Department make available to him an FBI report on a candidate denied an officer's commission. Enclosures to the memorandum set out the details of this matter.

Additional data in our files indicate that Congressman Moss has had several contacts with diplomatic representatives of the Soviet Union. The CIA referred to the Bureau three FBI documents in that Agency's possession relative to these contacts. Congressman Moss was advised by the CIA that the documents were provided by another Government agency. This material is classified and it

Enclosures

1 - Mr. Hotis
1 - Mr. Mintz

rmts
rmts:cob
(5)

EX-110 REC-72 94-50422-12X1
16-72-99
CLASSIFIED BY ~~SP5C/SET~~
DECLASSIFY ON: 25X 1
#446107

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

Memo to Mr. Mintz

~~SECRET~~

would appear to warrant continued classification, and therefore be exempt from disclosure.

Other references in our files pertaining to Congressman Moss indicate information in connection with an extortion investigation in which he was the victim; anonymous letters; newspaper articles; and inter-office memoranda regarding summaries of information.

Consistent with our past policy with regard to Congressional FOIA requests, it is recommended that a representative from the Legal Analysis Office personally contact the Congressman and attempt to orally advise him generally regarding the nature of information in our files. It is pointed out, our files disclose nothing to indicate we have conducted any investigation of Congressman Moss.

RECOMMENDATION:

That upon approval, a liaison representative of the Legal Analysis Office personally contact Congressman Moss and advise him as suggested above.

for

q'

*WJ
WJ*

Alm

~~SECRET~~

May 19, 1975

1 - Legal Counsel
(Attention: Mr. Hotis)

110
REC-72
94 50920 12X1
Honorable John E. Moss
House of Representatives
Washington, D. C. 20515

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-12-99 BY SP5R/SET
#446109

Dear Congressman Moss:

Please refer to my letter to you dated April 3rd relative to your request for information which is being processed under the provisions of the Freedom of Information Act (FOIA).

I wish to advise that during the month of April alone we received in excess of 1700 FOIA requests and this unanticipated volume of work precludes compliance with your request within the time limit indicated in my referenced letter. We have reorganized and increased the number of personnel assigned to our staff processing FOIA matters, and it is hoped this will enable us to be responsive as timely as intended by the Act. I am requesting that you grant an extension of thirty working days to complete the processing of your request, assuring you that every effort will be made to comply prior to that time.

Sincerely yours,

C. M. Kelley
Clarence M. Kelley
Director

MAILED 5
MAY 20 1975
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: 1 - The Deputy Attorney General - Enclosure
Admin. _____ Attention: [redacted]
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
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Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

NOTE: Our previous letter advised Congressman Moss generally regarding the existence of a correspondence file, an extortion case and numerous references ~~references~~, and advised of the need for 15 extra working days to complete processing. The volume of our work has precluded us from making that deadline.

THB:mjs (6)

MAIL ROOM ☒

TELETYPE UNIT ☐

GPO 954-546

August 6, 1975

MEMORANDUM FOR MR. CALLAHAN
MR. JENKINS
MR. McDERMOTT
MR. MINTZ

RE: CONGRESSMAN JOHN MOSS

Congressman Moss, who said he is in Sacramento, area code 916, phone 449-3543, said he has been in communication with us since November 11 relative to a request to have his file available to him. He said that as a result of a communication of August 1, 1975, he was denied this. He related that this is in variance with previous correspondence with Mr. Hoover, who, in essence, said there was no file on him. Congressman Moss alleged that through such previous information and the present denial of the right to have him review his file, this reveals an untruth perpetrated by the Bureau.

He then said as ranking Committee member of Mr. Brooks' Committee on Government Operations, he intends to issue a subpoena for his file. He said that he strongly urged that we reconsider the position taken by the Legal Counsel of the FBI. He said he felt that his request was unique inasmuch as it emanated from a member of Congress and he did not feel that he is in the same position as a private citizen as set out in the letter of August 1, 1975.

I briefly outlined to Mr. Moss the meaning of our statement that his request would be treated the same as that of a private individual, but I have a feeling he was not receptive to this explanation. He did, however, express himself as willing to discuss this matter without rancor, and I informed him I would give it priority attention.

I do not recall the circumstances of Mr. Moss' request. I would like to have this reviewed for me and the report concerning the status of this matter made to me personally by August 7 during the afternoon or the very early hours of August 8, 1975. I leave Washington around 10:00 AM and this necessitates, therefore, that there be a quick preparation if I am to respond as I told Mr. Moss I would, possibly by early next week.

Assoc. Dir. _____
Dep. AD _____
Dep. AD _____
Asst. Dir.: _____
Admin. _____
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Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____

SENT FROM
TIME 4:35 PM
DATE 8-6-75
BY [Signature]

Very truly yours,

[Signature]

Clarence M. Kelley
Director

18 AUG 8 1975

Legal Coun. _____
Telephone Rm. _____
Director's Sec'y _____

37 AUG

MAIL ROOM ☐

TELETYPE UNIT ☐

July 28, 1975

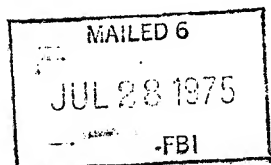
Honorable John E. Moss
House of Representatives
Washington, D.C. 20515

Dear Congressman Moss:

I am enclosing two advance copies of the August, 1975, issue of the FBI Law Enforcement Bulletin as I thought you might be interested in the article, beginning on page 16, entitled "Eye in the Sky," by Honorable Glen Craig, Commissioner, California Highway Patrol, Sacramento, California.

The distribution of our magazine, without charge, to sworn law enforcement officers is one of the cooperative services of the FBI designed to improve the standards and performance of the profession.

Sincerely yours,



Clarence M. Kelley
Director

Enclosures (2)

EX 104

REC-23

94-50422-14

1 - Legal Analysis Office

NOTE: Congressman Moss (D-Calif.) represents the 3rd District of California which includes a portion of Sacramento.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
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Inspection _____
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Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

JHC:bhm
(6)

4 AUG 1975

MAIL ROOM ☒

TELETYPE UNIT ☐

JOHN E. MOSS
3RD DISTRICT
SACRAMENTO, CALIFORNIA

ADMINISTRATIVE ASSISTANT
JACK MATTESON

LEGISLATIVE ASSISTANT
PATRICIA LYNCH



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

GOVERNMENT OPERATIONS COMMITTEE
SUBCOMMITTEES:
LEGISLATION AND NATIONAL SECURITY
GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS
DEMOCRATIC STEERING AND POLICY COMMITTEE

INTERSTATE AND FOREIGN COMMERCE
CHAIRMAN
OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE
JOINT COMMITTEE ON ATOMIC ENERGY

Assoc. Dir.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
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Training	_____
Telephone Rm.	_____
Director Sec'y	_____

August 12, 1975

Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
Washington, D. C. 20535

Dear Mr. Kelley:

Thank you for your letter of August 8, 1975. As I indicated in our telephone conversation, I am now going to seek to have Congressman Brooks initiate the necessary steps to bring you and all the records relating to me, and I suppose to all other Members of the Brooks Subcommittee, before the Committee for a full discussion of both your power to accumulate the material, maintain it in files, and to lay out for the record the number of years the material has been accumulated. This will resolve for once and all the question of whether your predecessor, Mr. Hoover, was ever truthful in his dealings with the Congress on the matter of maintaining files on those Members.

Sincerely,

John E. Moss
Member of Congress
(CALIFORNIA)
JEM:Mb

Copy made for Tele. Rm.

REC-24

94-50422-15

AUG 15 1975

O.I.A.

noack necessary
K/

EXP. PROC.
40 AUG 15 1975

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams *JBA*

DATE: 7-21-75

FROM : Legal Counsel *Jam*

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) *0*
REQUEST FROM CONGRESSMAN JOHN E. MOSS

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

b6
b7C

Reference memorandum of 7-11-75 from McDermott to Mintz recommending personal contact with Congressman Moss to orally advise him of the type of information contained in Bureau files in connection with his request under FOIA.

By appointment, Inspector and SA called on Congressman Moss on 7-18-75. The Congressman was told that the contact was in response to his request under FOIA for information in FBI files. The Congressman interrupted to state that he specifically had not made the request under FOIA since Congress is exempted from FOIA. He was told that the exemption has no bearing on our handling of requests, that we handle all requests for information from our files except in legal matters in accordance with FOIA. (Congress is exempted from FOIA to the extent that the Legislative Branch does not have to disclose any of its records.)

The Congressman was informed that the FBI has never conducted an investigation concerning him and our files contain only a small number of references. He was told that we have a few newspaper clippings in which his name appears, copies of several exchanges of correspondence with him, internal memoranda concerning contacts with him and several anonymous or other threatening communications which his office has referred to us for investigation. It was mentioned to the Congressman that we also have in our possession some classified documents about which he has already been told by the CIA. It was pointed out to him these documents would be exempt from disclosure because of their classification. He was assured that he was not the subject of the inquiry which resulted in these documents being prepared.

The Congressman stated this response was unsatisfactory to him with respect to the three classified documents. He said documents

- 1 - Mr. McDermott
- 1 - Mr. Mintz
- 1 - Mr. Farrington
- 1 - Mr. Bowers

DWB:dkg (6)
dkg



5010-108

CONTINUED - OVER

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Legal Counsel to Mr. Adams Memo
Re: Freedom of Information Act (FOIA)
Request from Congressman John E. Moss

are classified under an Executive Order which has no application to the Legislative Branch. He was told that while that may be true, the Executive Order does have very definite application to the FBI. He was told that it might be possible for us to give him some oral indication of the contents of the three documents, and he again stated that would not be satisfactory -- that he wants to see the documents. He said he has no interest in newspaper clippings, internal memoranda concerning our dealings with him, exchanges of correspondence with him or the items he has referred to us for investigation, but he does want to see the three documents which he understands deal with his contacts with officials of a foreign government.

The Congressman was told that his specific wishes in this regard would be conveyed to the personnel handling his request, and he will be recontacted as soon as possible concerning the decision in this matter.

RECOMMENDATION:

Refer to Freedom of Information Act Section for appropriate handling.

per 10

~~SECRET~~

EX-112

August 1, 1975

REC-86

94-50422-16

1 - Mr. Mintz
1 - Mr. Bowers

Honorable John E. Moss
House of Representatives
Washington, D. C. 20515

11/18/99
CLASSIFIED BY: SP7CW
REASON: 1.5 (C)
DECLASSIFY ON: X
#446,107

Dear Congressman Moss:

This is in reference to your conversation with representatives from our Legal Counsel Division on July 18, 1975, regarding your request for information from FBI files.

I wish to advise our policy is that members of Congress who request data on an individual basis from FBI files are given consideration as private citizens and their requests are treated in accordance with the provisions of the Freedom of Information Act.

A substantive classification review of the documents you requested was conducted by this Bureau under the criteria of Executive Order 11652. As a result, an administrative determination was made that these documents warrant continued classification and conform with the procedural requirements of the Order. Therefore, the information you requested is considered exempt from disclosure pursuant to Title 5, United States Code, Section 552 (b)(1). This exemption allows for the withholding of information that is specifically authorized to be kept secret in the interest of national defense or foreign policy, and is properly classified under criteria established by an Executive Order.

You have thirty days from receipt of this letter to appeal to the Attorney General from any denial contained herein. Appeals should be directed in writing to the Attorney General (Attention: Freedom of Information Appeals Unit), Washington, D. C. 20530. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Following the Attorney General's decision,

1 - The Deputy Attorney General - Enclosure
Attention: Susan M. Hauser

rmts:clh (8)

(CONTINUED OVER)

~~SECRET~~

MAIL ROOM ☒

TELETYPE UNIT ☐

GPO 954-546

MAILED 6
AUG 1 1975
FBI

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

~~SECRET~~

Honorable John E. Moss

judicial review is available in the district of your residence or principal place of business, or in the District of Columbia, where the records are situated.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

NOTE: Congressman Moss was personally contacted by Legal Counsel Division and advised of the nature of information in Bufiles. Congressman Moss thereafter limited his request to three classified documents. [(105-101572-372; 105-169131-129; 105-54486-156)] Request is being denied based on (b) (1).

(U) ~~(S)~~

- 2 -

~~SECRET~~

Mr. W.R. Marshall

~~SECRET~~

11/18/99
CLASSIFIED BY SP7 CI
REASON: 1.3 C
DECLASSIFY ON: X 1
#446/107

7/23/75

Mr. McDermott

10-12-99
CLASSIFIED BY SP5 J/SST
DECLASSIFY ON: 25X 1
#446/107

FREEDOM OF INFORMATION ACT (FOIA) REQUEST

RE: Congressman John P. Mass

Attached is a copy of the FOIA request and pertinent files and/or excised documents which appear subject to disclosure.

Addendum should include total Agent time expended in the review.

Please make every effort to insure that this memorandum, with its attached documents, is returned to the FOIA Section within () working days.

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Questions on this matter should be discussed with [redacted], Room 54486 JEH, extension 5582.

RECOMMENDATION(S): (only items checked apply)

() 1. That the

EX-112

REC-66

94-50422-17

Division(s)

review the excised document(s) to insure sufficient deletions have been made. Please explain briefly the reason for any additional deletions requested. If the materials proposed for disclosure are from a classified serial, insure that all portions which justified the classification have been deleted.

6-16

NO FEB 11 1975

(U) (✓) 2. That the Intelligence Division:

(✓) a. Review the classification of serial(s) 105-1169131-129; 105-54486-156 to insure documents should remain classified, indicating on the file copies which paragraphs are classified; which paragraphs, if any, are unclassified; and those which have been declassified in their entirety. Addendum should note any newly declassified serials.

() b. Review the balance of the file to determine if currently unclassified serials warrant classification. Newly classified serials should also have indicated on the file copies the classified and unclassified paragraphs. Addendum should note any newly classified serials.

1 - Mr. W.R. Marshall

Attention: Mr. H.E. Nelson

1 - Mr. [redacted]

Attention: Mr. [redacted]

1 - Mr. Bassett

Attention: Mr. Griffith

SEE INTELLIGENCE DIVISION
ADDENDUM PAGE 3

~~SECRET~~

5/JAV

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

08 AUG 9 1976

JOHN E. MOSS
3RD DISTRICT
SACRAMENTO, CALIFORNIA

ADMINISTRATIVE ASSISTANT
JACK MATTESON

LEGISLATIVE ASSISTANT
TOM GREENE



WASHINGTON OFFICE:
ROOM 2354
RAYBURN HOUSE OFFICE BUILDING
PHONE (202) 225-7163

DISTRICT OFFICE:
DISTRICT REPRESENTATIVE
JERRY WYMORE
8058 FEDERAL BUILDING
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814
PHONE (916) 449-3543

CONGRESS OF THE UNITED STATES

HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

GOVERNMENT OPERATIONS COMMITTEE

SUBCOMMITTEES:

LEGISLATION AND NATIONAL SECURITY

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS

DEMOCRATIC STEERING AND POLICY COMMITTEE

INTERSTATE AND FOREIGN COMMERCE COMMITTEE:

CHAIRMAN,

OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE

JOINT COMMITTEE ON ATOMIC ENERGY

March 11, 1975

John E. Moss

Honorable Clarence Kelley
Director
Federal Bureau of Investigation
Justice Building
9th and Pennsylvania Avenue
Washington, D.C. 20535

Dear Mr. Kelley:

I should like to know whether or not the FBI possesses any information on me, in a formal file compilation or otherwise arranged, and exactly what form it takes. Should such records exist, I shall require a copy of all the information, especially any bearing on my personal and/or official actions at any time since I became a holder of elective office (1946). This request is made in my capacity as Ranking Member of the Legislative and National Security Subcommittee of the House Government Operations Committee, and a prompt response is expected.

Sincerely,

John E. Moss
John E. Moss
Member of Congress
(D-CALIFORNIA)
JEM:F

~~ALL FBI INFORMATION CONTAINED~~

~~HEREIN IS UNCLASSIFIED~~

~~DATE 10-12-99 BY SP5/SJS~~

~~4446107~~

SEP-105

NEG-13

24-57422-12

17 MAR 12 1975

Assoc. Dir. ☒
Dep. Dir. ☒
Dir. ☒
Asst. Dir. ☒
Admin. ☒
Comp. Syst. ☒
Ext. Affairs ☒
Files & Com. ☒
Gen. Inv. ☒
Ident. ☒
Inspection ☒
Intell. ☒
Laboratory ☒
Plan. & Eval. ☒
Spec. Inv. ☒
Training ☒
Legal Coun. ☒
Telephone Rm. ☒
Director Sec'y ☒

EXP. PROC.

MAR 12 1975

~~SECRET~~

ADDENDUM: INTELLIGENCE DIVISION 7/23/75 JVW:psg

(U)
The Intelligence Division has reviewed classification of serials 105-101572-372, 105-169131-129, and 105-54486-156 ~~(S)~~

Serial 105-101572-372 consists of Bureau letter to the Attorney General, dated 3/18/68 and captioned [redacted] Internal Security - Russia"; WFO airtel to Bureau, dated 3/13/68, captioned [redacted] IS-R (SOVINFO-KGB)" with enclosures (1) LHM dated 3/13/68 at Washington, D. C., captioned [redacted] Internal Security - R," with attached Memorandum of Evaluation (FD-323) dated 3/13/68 at Washington, D. C., captioned [redacted] Internal Security - R" and (2) LHM dated 3/13/68 at Washington, D. C., captioned "KAPEV," with enclosed six-page article entitled "The Game Has Changed," dated 3/9/68. No changes are necessary in the classification of this serial with the exception of WFO airtel, 3/13/68, [redacted] caption, which has been classified "~~Secret~~" by ~~5683~~, XGDS 2 and 3, ~~Indefinite~~, to protect a sensitive double agent operation targeted against a foreign diplomatic official and the six-page article entitled "The Game Has Changed," dated 3/9/68, which has been classified "~~Secret~~" by ~~5683~~, XGDS 2, ~~Indefinite~~, in accordance with classification afforded its cover LHM. If this article is removed from the cover LHM captioned "KAPEV," dated 3/13/68 at Washington, D. C., it should be declassified. ~~(S)~~

(U)
Serial 105-169131-129, WFO letter to Bureau, dated 5/4/70 and captioned [redacted] IS-R (TASS-KGB)," has been newly classified "~~Confidential~~," by ~~5683~~, XGDS 2 and 3, ~~Indefinite~~, because it indicates investigative interest in a representative of a foreign government. No change in classification is necessary to its enclosure, LHM dated 5/4/70 at Washington, D. C., captioned [redacted] Internal Security, R" ~~(S)~~

Serial 105-54486-156, WFO letter to Bureau, 10/26/71, captioned [redacted], IS-R (SOVEMB)" has been newly classified "~~Confidential~~," by ~~5683~~, XGDS 3, ~~Indefinite~~, because it reveals investigative interest in a representative of a foreign government, and its enclosure, LHM dated 10/26/71 at Washington, D. C., captioned [redacted] Internal Security - R" has been downgraded in classification from "Secret - No Foreign Dissemination" to "~~Confidential~~" because it reveals investigative interest in representatives of a foreign government ~~(S)~~

~~SECRET~~

10-14-99
CLASSIFIED BY ~~SP8TCL/SEL~~ (U)
DECLASSIFY ON: ~~25X 1~~
446107

Classified by 5683
Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

~~SECRET~~

File copies of the above serials have been appropriately marked for classified and unclassified paragraphs.

By O-7 dated 7/23/75, WFO has been instructed to correct its copies of the aforementioned communications as indicated. By O-7 dated 7/23/75, Sacramento was instructed to correct its copies of Serial ~~(105-169131-129)~~ (U) ~~(S)~~

Total Agent time utilized in reviewing these serials amounted to 120 minutes.

WRS

WNW
WRO
WCF

~~SECRET~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. McDermott

DATE: 8/7/75

FROM : Mr. J. C. Farrington

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA)
REQUEST OF CONGRESSMAN JOHN E. MOSS

Assoc. Dir. ☒
Dep. AD Adm. ☒
Dep. AD Inv. ☒
Asst. Dir.:
Admin. ☐
Comp. Syst. ☐
Cong. Affairs ☒
Files & Com. ☒
Gen. Inv. ☐
Ident. ☐
Inspection ☐
Intell. ☐
Laboratory ☐
Legal Coun. ☒
Plan. & Eval. ☐
Spec. Inv. ☐
Training ☐
Telephone Rm. ☐
Director Sec'y ☐

By memorandum of 8/6/75 to Messrs. Callahan, Jenkins, McDermott and Mintz captioned, "Congressman Moss," the Director advised of a telephone conversation he had with Congressman Moss relative to our denial of his request under the FOIA for certain information pertaining to him. In response to the Director's request the following sets forth pertinent information concerning Congressman Moss' FOIA request.

Congressman Moss initially directed a letter to the FBI in March, 1975, requesting information as to whether the FBI possessed any data concerning him in our files. We replied by letter dated April 3, 1975, and by follow-up letter in May, 1975, that we were treating his request under the provisions of the FOIA, and explained to him the extensive volume of requests we had received and the backlog of FOIA matters we had at that time to be processed. Concerning this, our letter directed to him in May, 1975, requested an extension of 30 working days to complete the processing of his request. In our communications with him, we advised Congressman Moss generally regarding the existence of a correspondence file, an extortion case, and the fact we had numerous references to him in our files. FOIA Section prepared a memoranda dated July 11, 1975, summarizing the information contained in our files concerning Congressman Moss. The purpose of this memorandum was to brief Legal Counsel Division, Office of Congressional Affairs, in order that Congressman Moss could be contacted personally by a representative of the Office of Congressional Affairs.

Enc.

- 1 - Mr. Jenkins - Enc.
- 1 - Mr. Mintz - Enc.

THB:mjs (5)

CONTINUED - OVER

ENCLOSURE

Memo to McDermott

On July 18, 1975, Inspector [] and SA [] called on Congressman Moss and he was furnished a briefing concerning the summary of information in our files regarding the Congressman. During this meeting it was mentioned to him that we had in our possession some classified documents about which he had already been notified by the CIA. It was pointed out to him these documents would be exempt from disclosure because of their classification. The Congressman stated that while he was satisfied with the briefing in general, and did not request to see our records which contained internal memoranda regarding our dealings with him, and copies of correspondence or newspaper clippings, he did desire access to the classified documents. He stated the documents are classified under an Executive Order which has no application to the legislative branch. He was told it might be possible for us to give some oral indication of the contents of the documents, however, he stated this was not satisfactory and he wanted to see the documents. The classified documents consist of three serials, not filed in Congressman Moss' file (94-50422), but in the main file of three subjects of internal security interest. Two documents are classified "~~Secret~~" to protect a sensitive double agent operation targeted against a foreign diplomatic official, and to protect a sensitive source. One document is classified "~~Confidential~~" since it reveals investigative interest in representatives of a foreign government. The existence of FBI classified documents in our files actually came to Moss' attention in connection with his FOIA request of CIA, who in their review located copies of them in their files and referred them to us in accordance with FOIA regulations.

During the above briefing, Congressman Moss stated that he had specifically not made the request under the FOIA since Congress is exempt from the FOIA.

The matter concerning Congressman Moss' status in connection with his request and our responsibility to furnish information to him as a member of Congress was subsequently discussed with Assistant Director Mintz, by a representative of our FOIA Section. As a result of this discussion, Congressman Moss was advised by letter dated August 1st, that our policy is

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b7C

Memo to McDermott

that members of Congress who request data on an individual basis from FBI files are given consideration as private citizens and their requests are treated in accordance with the provisions of the FOIA. We advised a substantive classification review of the classified documents had been conducted by us under the criteria of Executive Order 11652 and it had been determined that these documents warranted continued classification. He was advised we would, therefore, consider these documents exempt from disclosure pursuant to Title 5, United States Code, Section 552(b)(1). Attached is a copy of this letter.

The procedures for appealing our decision in this regard were set forth and we have received no communication from him in reference to this letter, prior to his call to the Director.

The Director may recall the FOIA case in which Congressmen Jonathan B. Bingham, Edwin I. Koch and Benjamin S. Rosenthal brought suit against us last year in connection with documents in our files pertaining to them which were not made available under the FOIA. Some of these documents were classified and Judge Gerhard A. Gesell, U. S. District Court, District of Columbia, held that these documents, among others, were properly withheld under FOIA. Although this decision was prior to the most recent amendments to FOIA, the amendments would not affect this decision since the documents being withheld from Congressman Moss are properly classified within the meaning of the current FOIA amendments. The Director should also be aware that we could make a discretionary release of these classified documents, however, it is the judgement of the FOIA Section that this would establish a bad precedent and could result in other members of Congress making the same demands on us.

A review of our references on Congressman Moss failed to reveal a letter to him from former Director Hoover or any other Bureau official advising him that the FBI did not maintain a file on him. Relative to his threat to issue a subpoena, this is something that Congressman Moss has threatened

Memo to McDermott

to do in the past. In 1969, he threatened to subpoena Agents involved in a deserter case where the individual had been improperly classified as a deserter by the military if we did not promptly furnish him affidavits submitted by the Agents concerning their contact with the deserter. According to Inspector [REDACTED], Congressman Moss is currently involved in a situation whereby he had subpoenas issued as a result of a telephone poll of subcommittee members for various records in the possession of several other government agencies in an attempt to block the disclosure of these records under FOIA. According to one member of the subcommittee involved the subpoenas were withdrawn on August 6, 1975, after this matter received considerable publicity.

b6
b7C

ACTION:

For the Directors assistance in contacting Congressman Moss.

JIB

mg

Amac

Jan 1976

Prepare response to be sent to Cong. Moss's office in California

ky

e. Dir. _____
 AD Adm. _____
 AD Inv. _____
 Dir.: _____
 in, _____
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 Affairs _____
 & Com. _____
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 Sec'y _____

~~SECRET~~

Honorable John F. Moss

judicial review is available in the district of your residence or principal place of business, or in the District of Columbia, where the records are situated.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

NOTE: Congressman Moss was personally contacted by Legal Counsel Division and advised of the nature of information in Bufiles. Congressman Moss thereafter limited his request to three classified documents. [(105-101572-372; 105-169131-129; 105-54486-156)]. Request is being denied based on (b) (1).

(U) ~~(S)~~

~~SECRET~~



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

August 6, 1975

MEMORANDUM FOR MR. CALLAHAN
MR. JENKINS ✓
MR. McDERMOTT
MR. MINTZ

RE: CONGRESSMAN JOHN MOSS

Congressman Moss, who said he is in Sacramento, area code 916, phone 449-3543, said he has been in communication with us since November 11 relative to a request to have his file available to him. He said that as a result of a communication of August 1, 1975, he was denied this. He related that this is in variance with previous correspondence with Mr. Hoover, who, in essence, said there was no file on him. Congressman Moss alleged that through such previous information and the present denial of the right to have him review his file, this reveals an untruth perpetrated by the Bureau.

He then said as ranking Committee member of Mr. Brooks' Committee on Government Operations, he intends to issue a subpoena for his file. He said that he strongly urged that we reconsider the position taken by the Legal Counsel of the FBI. He said he felt that his request was unique inasmuch as it emanated from a member of Congress and he did not feel that he is in the same position as a private citizen as set out in the letter of August 1, 1975.

I briefly outlined to Mr. Moss the meaning of our statement that his request would be treated the same as that of a private individual, but I have a feeling he was not receptive to this explanation. He did, however, express himself as willing to discuss this matter without rancor, and I informed him I would give it priority attention.

I do not recall the circumstances of Mr. Moss' request. I would like to have this reviewed for me and the report concerning the status of this matter made to me personally by August 7 during the afternoon or the very early hours of August 8, 1975. I leave Washington around 10:00 AM and this necessitates, therefore, that there be a quick preparation if I am to respond as I told Mr. Moss I would, possibly by early next week.

Very truly yours,
SENT FROM D.C.

Clarence M. Kelley
Director

CMK:EDM (6)

*Ack
Fanning to Mc Dermott
AUG 10 8/7/75
THB: MJS*

5042-18

Moss Rescinds Subpoenas for Information

By Claudia Levy

Washington Post Staff Writer

Rep. John E. Moss (D-Calif.) yesterday rescinded his subpoenas for materials from eight regulatory agencies under investigation by his House Commerce oversight subcommittee after a U.S. District Court judge issued a temporary order blocking the agencies from giving the materials to Moss.

Moss maintained that his subpoenas were designed to prevent premature public release of possible "defamatory" information about individuals or planned agency policy. The information in question — working papers and all copies of answers to a subcommittee questionnaire — was being sought from the agencies by reporters under the Freedom of Information Act, which Moss had helped create.

Moss had issued his subpoenas Monday to stop the agencies from turning over the information to the press.

But two publications interested in seeing the materials, Product Safety Letter and Television Digest, had asked Judge William B. Bryant yesterday for a temporary restraining order against the regulatory agencies while their Freedom of Information (FOI) requests were being processed.

While granting the order, Bryant also said the agencies do not have to comply with FOI requests until the case is settled in court. As-



JUDGE WILLIAM BRYANT

... issues order

sistant U.S. Attorney Robert Ford said the Justice Department would not oppose a restraining order against the government agencies because it believed the subpoenas may be "unlawful."

The agencies covered by the subpoenas and yesterday's court action are the Food and Drug Administration, Environmental Protection Agency, National Highway Safety Administration and the Federal Trade Commission, Federal Communications Commission, Federal Power Commission, Interstate Commerce Commission and the Securities and Exchange Commission. A ninth agency, the Consumer

See MOSS, C12, Col. 1

Court Prompts Moss To Cancel Subpoenas

MOSS, From C7

Product Safety Commission, had supplied copies of its subcommittee questionnaire to reporters before the subpoena was issued.

In releasing the agencies from their obligation to comply with the subpoenas, Moss yesterday lashed out at the District Court for its "unwarranted" and "improper assumption of jurisdiction."

He said Bryant had "failed to take cognizance of the co-equal status of Congress with the Judiciary" and had "apparently ignored" a recent Supreme Court decision in a case involving subpoenas issued by a Senate Subcommittee on Internal Affairs headed by Sen. James O. Eastland (D-Miss.).

In that case, the Supreme Court ruled that subpoenas issued as part of a legislative investigation are immune from judicial interference.

Moss, who issued his statement from his home district, Sacramento, Calif., urged the regulatory agencies to "respond positively to all requests for non-sensitive material under the Freedom of Information Act consistent with statutory law."

He said the subcommittee has said all along that it would make the replies of the agencies available to the press after his staff removes "harmful or possibly defamatory material."

Moss said the Justice Department's description of the subpoenas as unlawful constituted "improper interference with a valid congressional inquiry." He said further that the agencies also

are "at fault for failing to make effective argument in support of the subcommittee's position."

As a result of the Justice Department "interference and the court's improper assumption of jurisdiction," Moss said, the subcommittee will have to pursue its investigation using different methods. If any waste results from this shift in methodology, or compromise of policy or case, or any investigative method is impaired, the court, the agencies and the Justice Department must assume responsibility.

The subcommittee had requested a wide range of material, from a brief history of the agencies to information on litigation, personnel requests, and criminal sanctions invoked.

The subpoenas were issued after subcommittee staffers polled members by phone. One subcommittee member, Rep. James M. Collins (R-Tex.) and a member of the full committee, Rep. James T. Broyhill (R-N.C.) both high ranking Republicans on the committee, have called Moss' use of a phone poll to authorize subpoenas "highly irregular" and said it violated Congressional rules.

In a letter to fellow committee members yesterday, Moss said Broyhill and Collins had raised "no new points of law" and had shown a "notable lack of enthusiasm for a full and meaningful probe of some of the independent regulatory agencies." The "current controversy," Moss said, "seems to have had potential for political exploitation and, of course, that predictable result has occurred."

The Washington Post

8/7/75

18

Rep. Moss Warns Agencies

'Sunshine' Advocate Asks Secrecy

By Stephen M. Aug
Washington Star Staff Writer

The principal architect of the federal Freedom of Information Act, which is designed to pry loose the secrets of a reluctant bureaucracy, has warned federal regulatory agencies that they'd better not make public a series of reports prepared for him.

The unusual situation, which finds the champion of freedom of information defending secrecy for his own material, emerged late yesterday when Rep. John E. Moss D-Calif., sent letters to nine agencies advising them to deny the request of a Washington Star reporter for access to the reports.

The chairman of one regulatory agency — who declined to be identified by name — said of Moss' demand for secrecy, "it's flabbergasting for the father of the Freedom of Information Act."

MOSS SAID the information is "the property of the Congress," even though some of the material is routinely made public by the nine agencies involved.

The material Moss wants kept secret are the answers to questionnaires he sent out in June to the nine agencies under the jurisdiction of the House Commerce investigative subcommittee, of which he is chairman.

The questionnaires, which contained 96 questions, sought information ranging from copies of routinely issued annual reports to a listing of speeches — including location, date, travel costs, names of sponsoring organizations — given by every commission member or staff member of

grade GS-15 or above for the past five years.

They also sought data on possibly improper contacts between regulators and representatives of the firms they regulate, the number and types of companies they regulate (and the total employment of the industries) a listing of the 20 oldest pending proceedings at each agency and a variety of internal papers including data on workload management information systems.

The questionnaires form the basis of an investigation by the subcommittee into regulatory agencies. The investigation was begun in June about the time President Ford discussed regulatory reform with a group of about two dozen congressmen, of which Moss was one.

THE AGENCIES are the Federal Power Commission, Federal Trade

Commission, Interstate Commerce Commission, Securities and Exchange Commission, Consumer Product Safety Commission, National Highway Traffic Safety Administration, Environmental Protection Agency and Food and Drug Administration.

Privately, officials of these agencies have decried the amount of work the questionnaires have entailed. Several have complained that they may have added to the long delays for which these same agencies are being widely criticized.

The FCC, for example, which has one case still active that can be traced to 1938, devoted 1,800 man-hours to its reply to the questionnaire. An FCC staff member said the result was between 17,000 and 20,000

See MOSS, A-4

Accordingly, the Interstate Commerce Commission should treat these returns as the property of the Congress and not release them to any party outside the Commission without the Subcommittee's express authorization.

Sincerely,

John E. Moss
JOHN E. MOSS
Chairman

Rep. Moss, father of the Freedom of Information Act, asked secrecy in this July 29 letter.

MOSS

Continued From A-1

pages of information, crammed into four big boxes and produced at a cost of about \$20,000.

One report indicated the Securities and Exchange Commission had spent about \$100,000 preparing its answer to the Moss questionnaires.

Although requests by The Star were sent to the ICC, FCC, FPC and SEC, only the ICC has responded.

THE ICC SAID it was rejecting The Star's request to see the documents based on Moss's letter. The agency enclosed a three-paragraph letter from Moss to ICC Chairman George M. Stafford dated July 29, stating that the materials were congressional property and were not to be released without express authorization from his subcommittee.

The subcommittee made available last night, however, a four-page letter Moss sent just yesterday to PC Chairman John N.

Nassikas, who had advised the congressman of The Star's request.

The letter cites two rules under which the House conducts investigations and states that records acquired in the course of committee investigations are the property of the House.

The letter contended the information was being gathered much in the way a grand jury gathers information, and "premature release of your responses . . . before the subcommittee has had a chance to review and analyze them could hamper our investigation in many ways."

INTERVIEWED last night, Moss said some of the material — which he had not examined — may bear on forthcoming agency actions or could hint at upcoming agency enforcement activities. A lot of the information, he said, would not be publicly divulged, "nor does the Freedom of Information Act have any applicability to Congress. I ought to know — I wrote it."

He added that he regards "the role of the Congress in this case very much analogous to a grand jury review, and I won't look with very much charity on an agency" that makes the material public.

"I do not intend to let you or the agencies direct the investigation for which I have been given responsibility," he added.

A CHECK with one lawyer who has had extensive court experience with the Freedom of Information Act indicated that the agencies may not be able to rely on Moss' demand as an excuse for keeping the material private.

Larry Ellsworth, a lawyer at Ralph Nader's Freedom of Information Clearinghouse, said that unless the material in the report falls within one of a group of specific exemptions in the Freedom of Information Act the agency "must disclose any record which it has in its possession, custody or control." Requests from congressmen, he

pointed out, are not among the exemptions.

Nevertheless, one copy of an agency report was routinely made public yesterday by the Consumer Product Safety Commission. Two reporters — one representing the Bureau of National Affairs and another the Product Safety Letter — were given copies on request.

Ron Aaron Eisenberg, director of the commission's Office of Public Affairs, said the agency has a "very liberal interpretation of the government's obligation" to make information available and routinely provides it to those who ask for it.

HE SAID THAT shortly after the agency received a copy of the Moss letter to Nassikas it tried to recall the reports from the two reporters but without success.

Sharon Coffin, editor of the newsletter, said the CPSC "is so open that most of that stuff (in the report to Moss) is available routinely."

August 8, 1975

EX-112

1 - Office of Congressional
Affairs

REC-66

94-50422-18

Honorable John E. Moss
8058 Federal Building
Sacramento, California 95814

Dear Congressman Moss:

This is in reference to our telephone conversation of August 6th concerning your request for information from FBI files. I have reviewed this matter and the circumstances surrounding your request and our handling of it.

It is my understanding that during a recent briefing you received from representatives of our Office of Congressional Affairs, you expressed specific interest in viewing certain classified documents which are contained in FBI files and which make reference to you. This material is located in files concerning investigations of other subjects. These classified documents have been carefully reviewed and they are considered to warrant continued classification; therefore, they are exempted from disclosure under the Freedom of Information Act.

In our telephone conversation you indicated you feel a Member of Congress who requests information from FBI files is not in the same position as a private citizen making a Freedom of Information Act request. I have reexamined our position in this regard and there is every indication our handling of your request has been in accordance with existing law and legal precedents. We have been upheld in this position by the Department of Justice with regard to requests of other Members of Congress for information from FBI files, and a U. S. District Court agreed our decision to deny access to certain classified FBI records to the Members of Congress who instituted the suit was proper.

1 - The Deputy Attorney General
Attention:

THB:ms (6)

SENT FROM D.O.
TIME 5:45 PM
DATE 8-8-75
BY *edw*

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec. _____

55 JUN 24 1976

TELETYPE UNIT ☐

b6
b7C

GPO 551-546

Honorable John E. Moss

As mentioned by my representatives during the above briefing, it would be possible for us to give some oral indication as to the contents of the classified documents which you have expressed an interest in seeing; however, I feel it would not be appropriate for me to grant complete disclosure of the documents in question for the reasons stated above.

Sincerely yours,

/s/ *cm Kelley*
Clarence M. Kelley
Director

NOTE: See memo J. C. Farrington to Mr. McDermott, captioned "FOIA Request of Congressman John E. Moss," dated 8/7/75. We have not referred to Congressman Moss' statement concerning alleged previous correspondence with Mr. Hoover in which he claims he had been advised we maintain no file on him. It is felt this is a side issue to the Congressman's real concern regarding access to certain materials in our files and that no interest would be served in commenting further concerning this. As noted in above-mentioned memo, we could locate no reference in our files re Mr. Hoover writing Congressman Moss in this manner.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 7/19/78

FROM : SAC, INDIANAPOLIS (89-165) (C)

SUBJECT:

LETTER TO SENATOR BIRCH BAYH
FROM INDIANAPOLIS, INDIANA
CONGRESSMAN JOHN MOSS - VICTIM
INFORMATION CONCERNING

OO: INDIANAPOLIS

JOHN E. MOSS

Re WFO letter to Indianapolis, dated 5/5/78.

Enclosed for Bureau is the original and three copies of an LHM setting forth circumstances regarding instant matter.

Re contained enclosed letter from U.S.S.S. directed to WFO setting forth captioned matter. The U.S.S.S. letter had attached to it a note written by subject to Senator BAYH of Indiana. The U.S.S.S. letter was not dated and set forth that subject's letter was received by them on 4/26/78, and that they were conducting no investigation at this time and requested the results of FBI investigation.

Routine, however lengthy, investigation resulted in location of subject.

Subject states letter was intended as joke and had no criminal intent.

On 7/27/78, USA, SDI, declined prosecution.

Original note from subject, dated 4/10/73, remains at Indianapolis, Indiana.

Copy of LHM being submitted to USA, SDI, vice separate communication, to confirm prosecutive opinion.

- 2 - Bureau (Enc. 4)
- 1 - Indianapolis

MLC/kep
(3)



5010-108-02

ENCLOSURE

NOT RECORDED
18 AUG 15 1978

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ORIGINAL FILED IN 62-0



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Indianapolis, Indiana
July 19, 1978

[REDACTED]
LETTER TO SENATOR BIRCH BAYH
FROM INDIANAPOLIS, INDIANA;
CONGRESSMAN JOHN MOSS - VICTIM
INFORMATION CONCERNING

b6
b7c

The following correspondence was received by the
office of Indiana Senator Birch Bayh on or about April
20, 1978:

"4/10/78"

"Dear Senator Bayh,

"Can't some kind of kidnapping be arranged for a
member of the family of Rep. John Moss in order for him
to appreciate the use of organizations such as Research
West, Inc. Idiots such as this rarely learn from any
other methods!

"See, what you can arrange!"

"Sincerely,

[REDACTED]

Investigation at Indianapolis reflected that subject
was [REDACTED] Tarkington House Personal Jewelers,
3159 East 96th Street, Indianapolis, Indiana, phone
844-4263.

On July 13, 1978, [REDACTED] was contacted
at his aforementioned place of business and upon being advised
of the nature of interview, the following explanation was
volunteered:

[REDACTED] stated that he frequently corresponds with
Indiana Senators Birch Bayh and Richard Lugar while favoring
the latter. He recently became displeased with the performance

This document contains neither
recommendations nor conclusions of
the FBI. It is the property of
the FBI and is loaned to your agency;
it and its contents are not to be
distributed outside your agency.

94-50422
ENCLOSURE

[redacted]

of Indiana Congressman John Moss, which motivated him to compose the preceding letter to Senator Bayh.

[redacted] concluded by stating that the letter had absolutely no criminal intent and was merely done as a joke and he could not understand why time was wasted investigating the matter.

[redacted] was apprised of the serious nature of such actions whereupon he responded that there would be no recurrence of same.

On July 17, 1978, [redacted] declined prosecution in that subject was unaware of serious nature of his action and that action lacked criminal intent.

The following descriptive data was obtained from interview and personal observation:

Name	[redacted]
Race	White
Sex	Male
Date of birth	[redacted]
Place of birth	[redacted]
Height	5' 8"
Weight	160 pounds
Hair	Black
Eyes	Green
Address	[redacted]
Telephone	[redacted]
Social Security Number	[redacted]
Marital status	Married
Military	None
Arrests	None reported
Education	Indiana State University- BA Degree and 30 hours additional

FROM Robert S. Young		NO. 0181029
TO: Director/FBI		DATE 9 Apr 75
Freedom of Infor. Unit		TYPE OF MATERIAL
Room 4706		ENVELOPE (9)
Justice Bldg.		PACKAGE (8)
Washington, D.C. 20530		OTHER
LOG DATA		
Request re John E. Moss (Cong.)		
<i>Robert S. Young 4/1/75</i>		
3		
FORM 8-60 240 USE PREVIOUS EDITIONS (24-25)		
COURIER RECEIPT AND LOG RECORD		
MFG. 6-73		